PENNSYLVANIA ARCHIVES.

Fourth Series.

PAPERS OF THE GOVERNORS.

EXECUTIVE MANSION, HARRISBURG, PA.

PENNSYLVANIA ARCHIVES

Fourth Series

EDITED BY

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UNDER THE DIRECTION OF

HON. W. W. GRIEST

SECRETARY OF THE COMMONWEALTH.

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1891-1897.

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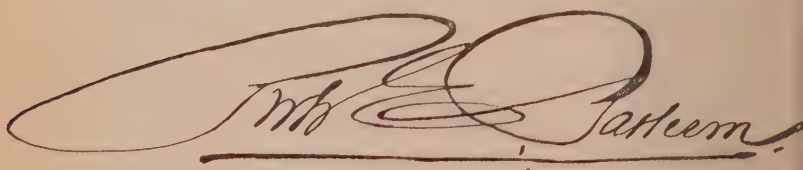

ROBERT EMORY PATTISON,

Governor of the Commonwealth.

(Second Administration.)

1891-1895.

CONTINUED.

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Chapter I.

ROBERT EMORY PATTISON,

Governor of the Commonwealth.

(Second Administration.)

1891-1895.

(CONTINUED.)

Veto of "An Act Conferring Upon Husbands, Wives and Parents the Right of Possession of the Bodies of their Deceased Wives, Husbands and Children."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 19, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 229, entitled "An act conferring upon husbands, wives and parents the right of possession of the bodies of their deceased wives, husbands and children."

This bill is intended and calculated to reverse the judgment of the courts of Pennsylvania upon a case

settled and decided several years ago. It proposes to disturb the repose of the dead by conferring upon surviving relatives the right to remove a body from its place of sepulcher, where the solemn judgment of the court has declared that it shall repose in peace. For forcible reasons, clearly stated so long ago as June 28, 1881, by one of my distinguished predecessors, Governor Hoyt, this bill, or one similar to it, was disapproved. Its passage has again been pressed and its approval is sought avowedly in one special and particular interest, which aims to overthrow the decision of a court of record of this Commonwealth. It is retroactive in its effect, and, in my judgment, wholly unnecessary, if not calculated to provoke indecent contention and strife over the remains of the dead, and to invade the sanctity of the grave in which they are buried. I am not willing to give my approval to a measure likely to be followed by such results; and certainly no special reason for executive approval is to be found in the fact that the bill is especially intended to reopen a case long since adjudicated in the courts.

ROBT. E. PATTISON.

Veto of "An Act Authorizing Cities of this Commonwealth to Change, Alter, Beautify and Improve Unpaved Public Wharves and Landings."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 19, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 34, entitled "An act authorizing cities of this Commonwealth to change, alter, beautify and improve unpaved public wharves and landings."

This bill makes it lawful for any city of this Commonwealth to change, alter, beautify and improve any public wharf or river landing within the corporate limits of such city, at such times and in such manner as the councils thereof may by ordinance or joint resolution order and direct. It is not attempted to be concealed that the purpose of this bill is to permit the city councils of Pittsburgh to appropriate certain wharf property in that city to different uses from that to which it is now devoted, and against the bill I have received, not only innumerable protests from extensive commercial interests, but I have listened to most respectable delegations of citizens and business men who protested against the passage of the measure. Their representations ordinarily would have great weight with the executive, but even in the absence of any such objections the vague and indefinite language of this bill would make me hesitate to give my sanction to it. The words, "change, alter, beautify and improve," are of such general and indefinite character that under their authority it would be within the power of councils to most materially deprive important shipping interests of such uses of the water fronts of cities as are always found to be of inestimable value to municipalities located on navigable streams. I am well-advised that already large portions of the river wharves of Pittsburgh have been encroached upon and that the results of the present bill becoming a law would be to further contract the facilities for shipping. I am not willing to approve any measure against which so influential a portion of the community protests; and which will hamper the free use of rivers for the shipment of merchandise and manufactures from a great city whose prosperity has been largely enhanced by the advantages of water transportation.

ROBT. E. PATTISON.

Veto of "An Act to Provide for the Publication of a Digest of the Laws of Pennsylvania by Boyd Crumrine, the State Reporter."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 19, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 152, entitled "An act to provide for the publication of a digest of the laws of Pennsylvania by Boyd Crumrine, the State Reporter."

This bill provides that the State of Pennsylvania shall pay to Boyd Crumrine five thousand dollars for his preparation of a complete digest "of all the laws of Pennsylvania," with notes, referring to the decisions of the Supreme Court upon any of said laws, and shall provide for the publication and sale of the same in the manner provided for the publishing the State reports. Up to this time, all publications of this character have been the subject of private enterprise. The State has never deemed it a wise policy to go beyond the publication of the Pamphlet Laws and provision for the official reports of the decisions of the Supreme Court, in order that they might be supplied to the legal profession at a reasonable price. The work contemplated by this act is of a different character from either of these, and, although it is to be prepared at the cost of the State and under the direction of some of its officials, it will not necessarily be authority when published. While there may be a popular and professional demand for an authoritive revision of the statute law of the State, the publication contemplated by this bill would be simply a private compilation, having no greater authority than the digest to which reference is made in the bill, and yet likely to be confounded with a codification of authoritative sanction. If the

scope of the present act is to be measured by the language in which it directs that all the laws of Pennsylvania are to be published, private, local and special, as well as general, it contemplates a work of enormous size, for the preparation and publication of which no adequate provision is made in this bill. The policy of the Commonwealth—or of anyone authorized and paid by it—undertaking to annotate its laws with citations from and construction of the decisions of the Supreme Court, is a very doubtful one, indeed. If it shall be the purpose of the Commonwealth to thus codify its laws and decisions, it should be done under different auspices and in a different way than that prescribed in this bill. For many years there has been a digest of the laws of Pennsylvania before the people of the State, to the use of which, persons having desire to inquire into the laws have become accustomed. If the work proposed to be undertaken by this bill shall follow and embrace, in the main, the features of that work, it will certainly be an infringement upon its copyright which the State cannot well afford to attempt. If it shall vary widely from the plan of that work, instead of reducing the cost of necessary law publications it will probably enhance the same. In any event, I am entirely convinced that this bill would involve the Commonwealth in a venture likely to prove unsatisfactory and unprofitable from various points of view.

ROBT. E. PATTISON.

Veto of "An Act Supplementary to 'An Act to Provide for the Incorporation and Government of Street Railway Companies in this Commonwealth,' Granting to Street Railway Companies Power to Cross Streams."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 20, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 196, entitled "An act supplementary to an act, entitled 'An act to provide for the incorporation and government of street railway companies in this Commonwealth,' approved May fourteenth, Anno Domini one thousand eight hundred and eighty-nine, granting to street railway companies power to cross streams."

This bill confers upon street railway companies the right of eminent domain to the extent that it may be necessary for them to exercise the same in the erection of bridges to cross streams. Thus far it has been the policy of the Commonwealth to restrict the rights of street railway companies to streets already laid out and open for public travel. To extend their powers so as to permit them to erect and construct bridges across any stream in the Commonwealth, to take and appropriate private property for the approaches thereto, and to restrict the use of such bridges to their own purposes, seems to be a dangerous extension of their powers. The act confers upon them privileges which are not necessary to the ordinary purposes of their incorporation. I am constrained, therefore, to withhold my approval from this bill.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation to the Commissioners of Fairmount Park, for the Preservation and Maintenance of Memorial Hall, in Fairmount Park, in the City of Philadelphia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 20, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 665, entitled "An act making an appropriation to the commissioners of Fairmount Park for the preservation and maintenance of Memorial Hall in Fairmount Park in the city of Philadelphia."

This bill appropriates twenty five thousand dollars to the Fairmount Park Commission, to be expended upon Memorial Hall, situated in Fairmount Park in the city of Philadelphia. This building was erected at a large cost by the State of Pennsylvania, and by it was presented to the city of Philadelphia. If its preservation is a matter of any value or concern to that city, the resources and revenues of Philadelphia are quite adequate to its maintenance in proper condition. Even if there was any justice or propriety in making the claim upon the Commonwealth to keep up a building to which it had already surrendered all title, an insuperable objection to the approval of this act is found in the constitutional clause forbidding an appropriation of State money to any "community," which term, as used in the Constitution, means "a body of inhabitants in a city, town, district or other place or division of the State." The Legislature has no power or right to appropriate moneys for the maintenance of this building which is the property of the people of Philadelphia, than it would have to vote the money for a new court house or other public building to any other county or community in the State.

ROBT. E. PATTISON.

Veto of "An Act to amend 'An Act to Provide for the Organization, Discipline and Regulation of the National Guard of Pennsylvania.'"

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 20, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 311, entitled "An act to amend the forty-ninth section of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved the thirteenth day of April, Anno Domini one thousand eight hundred and eighty-seven."

The purpose of this bill is to increase the annual allowance for armory rent for each company of the National Guard to two hundred dollars. The object of the bill has been effected by Senate bill No. 298, which has already met with my approval. The present bill, is, therefore, wholly unnecessary.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation to Grove City College, Towards the Expenses of the Military Department of Said College."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 20, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 832, entitled "An act making an appropriation to Grove City College towards the expenses of the military department of said college."

This bill appropriates five thousand dollars to Grove City College, in Mercer county, for the erection of a proper building for its military department. It further provides that the land upon which military department is to be erected shall be conveyed to the Commonwealth of Pennsylvania, and that for the money thus given to the institution a mortgage shall be executed to the Commonwealth.

The beneficiary of this bill is not a public charity, nor is it a State institution in any sense. It is one of a large class of institutions of learning which are no doubt doing a most useful work in the Commonwealth; but the proposition to extend the bounty of the State to this calss of institutions is one that the executive cannot favor. There is a demand for a restriction rather than an enlargement of the classes of subjects for State appropriations. The eighteenth section of the third article of the Constitution, which forbids appropriations for educational or benevolent purposes to any persons or community, was undoubtedly intended to prevent the Legislature from making such grants as the one which is the subject of this bill. If any other construction were placed upon that article the door would be open wide for the Legislature at each recurring session, to give wtih a lavish hand to private educational interests which are scattered throughout the Commonwealth. Up to this time its appropriations, mounting up to millions of dollars annually, have been confined to the Normal Schools, which are a part of the common school system of the State, and to eleemosynary or penal institutions for homeless children, agend persons, the indigent, and for sufferers from physical or mental maladies. Even this system of benefactions has been subject to great abuse and gross extravagance, which it requires the most vigilant care to restrain. I have no doubt this institution is doing most excellent work in its own proper sphere,

but like many others of its class it must continue its operations without State aid. If it was the intention of the bill to make a loan to the institution to be secured by a mortgage, I need only add that such scemes of lending the public credit to local or private interests is equally repugnant to the Constitution.

ROBT. E. PATTISON.

Veto of "An Act Authorizing the Assessment of an Annual Poor Tax Upon Unnaturalized Persons Within this Commonwealth, Providing for its Collection, and Fixing a Penalty Upon Employers Refusing to Make a Return of Such Persons in Their Employ."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 20, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 89, entitled "An act authorizing the assessment of an annual poor tax upon unnaturalized persons within this Commonwealth, providing for its collection and fixing a penalty upon employers refusing to make a return of such persons in their employ."

This bill is equally objectionable in the principle which underlies it, and in the method prescribed for its practical enforcement. It imposes a per capita tax of three dollars upon all unnaturalized male citizens of the Commonwealth who own no real estate or other taxable property valued for taxable purposes at or above two hundred dollars and situated in the county in which he may reside or is employed. This discrimination would, in all probability, be found by the courts to be a violation of the constitutional principle that

taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws. If this tax is to be levied and collected under the general law of the Commonwealth, it is very much to be doubted whether that is a "uniform" law which exempts from a per capita tax a subject who owns land in one county and imposes it upon the same class of persons whose real estate may be situated in another county. Such a classification is not tolerable; but the method which is provided for the collection of this tax is highly objectionable and wholly impracticable. All employers of labor must make inquiry into the nativity of their male employes, and must ascertain whether or not they have been naturalized, if over the age of twenty one years; they must make monthly report to the poor authorities of their districts and deduct from the wages of such employes, on each monthly pay day, the sum of twenty-five cents, thus making at once an assessor and tax collector out of every corporation, firm or individual in the Commonwealth employing, perchance, a foreign-born workman who is not naturalized. It is practically a delegation of the Commonwealth's tax-levying and tax-collecting power to a host of private persons, and in default of their performing this duty they are to be subjected to a penalty of double the amount of the tax imposed upon the unnaturalized employe, which penalty the bill vaguely prescribes "shall be collected as other taxes are collected." Inasmuch as "other taxes" are collected in many different ways, the uncertainty of this provision would render it wholly nugatory, so that, even if the bill were based on sound principles, either of public policy or of political economy, its provisions are so impracticable as to render any attempt to enforce it futile.

ROBT. E. PATTISON.

Veto of "An Act to Amend 'An Act to Restrain and Regulate the Sale of Vinous and Spiritous Liquors or Any Admixture Thereof,' and Providing for Compensation for Constables for Services Rendered Under the Provisions of Said Act."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 20, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 307, entitled "An act to amend the twelfth section of an act, entitled 'An act to restrain and regulate the sale of vinous and spirituous liquors or any admixture thereof,' approved the thirteenth day of May, Anno Domini, one thousand eight hundred and eighty-seven, and providing for compensation for constables for services rendered under the provisions of said act."

The effect of this bill is to increase the cost of executing the laws of this Commonwealth by allowing to constables the sum of fifty cents per month for a monthly visit to each place within their respective jurisdictions where liquors are sold or kept. This would amount to an allowance of six dollars per year to the constable for every licensed place for selling liquors in the Commonwealth. It would involve a cost to the public of many thousands of dollars. The duty of visiting and reporting the conditions under which liquor is sold has been imposed upon the constables of the various districts of the State by the existing liquor laws of the Commonwealth, and I know of no just ground for public complaint that there is any failure to perform this duty by reason of the fact that no provision is made for payment therefor. I know of no district in which there is a vacancy in the office of constable, or where persons are found unwilling to take it,

by reason of the omission of any such allowance as this bill makes. The constables are under control of the various courts, and are subject to removal for misconduct or neglect of duty. While, therefore, no complaint of such inattention to duty as can be remedied by this bill, exists, I do not feel justified in approving a measure that will entail a public expense reaching the enormous sum which the costs contemplated by this bill would aggregate.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation to the General Hospital of Beaver County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 22, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 844, entitled "An act making an appropriation to the General Hospital of Beaver county."

This bill makes an appropriation of $20,000 for the erection of a hospital building at Rochester, Beaver county, conditioned upon the raising of a like amount by voluntary local subscriptions made for the same purpose. I am convinced that if the State is to encourage by so large a grant the building of a hospital in that part of the State, the largest industrial, mining or railroad center should be selected. Other points in the same general locality than the one named are not only better adapted for the location of this institution, but they are more centrally located in the range of country from which it would naturally receive

patients. Should this bill be approved, the burden of contributing to the maintenance of the hospital will in the future fall largely on the Commonwealth, and it will be but a short period until call is made upon the Commonwealth for the erecting of another hospital in the more important towns of the same county. I am constrained, therefore, to withhold my approval from this bill.

ROBT. E. PATTISON.

Veto of "An Act to Provide for the Expense of the Care and Treatment of the Indigent Chronic Insane in County or City Almshouses, and Making an appropriation Therefor."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 22, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 255, entitled "An act to provide for the expense of the care and treatment of the indigent chronic insane in county or city almshouse and making an appropriation therefor."

This bill appropriates the sum of one hundred and ninety thousand dollars, to be paid to such counties of the Commonwealth as maintain their indigent chronic insane in county or city almshouses. The policy which it contemplates is directly in conflict with that which has been established by the Commonwealth in the development of the subject of the treatment of its insane. Gradually during the past few years the insane indigent inmates of county almshouses have been removed therefrom into State hospitals for reasons that have recommended themselves to the approval of the most intelligent and experienced students of the proper treatment of this unfortunate class. Humane

and disinterested investigation of the condition of the insane in county almshouses has abundantly proved that the system of treatment in State institutions, is vastly preferable to that of local care. As a result there are now but sixteen counties in the State where chronic insane are maintained in the local almshouses, and it is undeniable that the average standard of care in them is far below that which is manifested in the treatment of the inmates of State institutions. Three-fourths of the number of insane persons for whom this bill provides are in four counties of the State. I am thoroughly convinced that the bill recently framed by the Board of Public Charities and the Committee on Lunacy, for a State Asylum for the chronic insane, which has also been enacted by the Legislature at its last session, provides a much better system of treatment than that contemplated in the bill under review. That act, to which I have given my approval, makes the present act wholly unnecessary. The experience not only of our own Commonwealth, but of others in which the most advanced methods of treating the question of State management of the insane have been tested, has confirmed the wisdom of the plan of maintaining the incurable insane in the larger State institutions instead of in the county almshouses, and I am not willing to approve a measure which involves a backward step.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation to the Bethesda Home;" "An Act Making an Appropriation to St. Joseph's Society for the Prevention of Cruelty to Children and Aged Persons;" "An Act Making an Appropriation to the Memorial Hospital and House of Mercy of St. Timothy's Church, Roxborough, City of Philadelphia, State of Pennsylvania;" "An Act Making an Appropriation to the Allegheny County Association for the Prevention of Cruelty to Children and Aged Persons;" "An Act Making an Appropriation to Kensington Hospital for Women;" and "An Act Making an Appropriation to the Penn Asylum for Indigent Widows and Single Women, Situated on Belgrade Street Above Susquehanna Avenue, Philadelphia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 22, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, the following bills:

House bill No. 615, entitled "An act making an appropriation to the Bethesda Home."

House bill No. 646, entitled "An act making an appropriation to St. Joseph's Society for the prevention of Cruelty to Children and Aged Persons."

House bill No. 654, entitled "An act making an appropriation to the Memorial Hospital and House of Mercy of St. Timothy's Church, Roxborough, city of Philadelphia, State of Pennsylvania."

House bill No. 657, entitled "An act making an appropriation to the Allegheny County Association for the prevention of Cruelty to Children and Aged Persons."

House bill No. 711, entitled "An act making an appropriation to Kensington Hospital for Women."

House bill No. 789, entitled "An act making an appropriation to the Penn Asylum for indigent widows and single women, situated on Belgrade street above Susquehanna Avenue, Philadelphia."

The six institutions to which money is appropriated are not under the absolute control of the State. None of them have received the recommendation and approval of the Board of Charities. "The act of Assembly of April 24, 1869, provides that all charitable, reformatory and correctional institutions now receiving or that may hereafter desire to receive State aid shall annually give notice to the said general agent of the Board of Public Charities on or before the first Monday in November in each year, of the amount of any application for State aid they may propose to make, and of the several purposes to which such aid, if granted, is to be applied. Whenever any institution shall thus give notice of asking for State aid, the general agent shall inquire carefully into the ground of such request, the purpose or purposes for which the aid is asked, the amount which will be required, and into any matters connected therewith; and in the annual report the result of such inquiries shall be given, together with the opinions and conclusions of the board thereon."

The executive, in the absence of such application or recommendations, is without any information to justify an approval of grants of State money to their support and maintenance. As has been frequently pointed out during the present session of the General Assembly, and by my predecessors, some consideration must be given to that feature of our system of State aid which requires institutions desiring to procure it, to submit themselves and their applications to an examination by the Board of Charities. I have as a rule, first approved all appropriations made by the General Assembly for the institutions owned or controlled by the State and for the support and maintenance of

which the credit of the State is pledged, and which under the supervision and inspection of the Board of Charities, which Board has investigated their wants and recommended such action upon them as seems necessary and proper.

Secondly: I have resolved in favor of the appropriations all doubts with regard to the amount bestowed upon institutions not under State control, which are organized and conducted for the care and support of the defective and delinquent classes, institutions for the blind, deaf and dumb, for the care of feeble-minded children and for the housing, clothing, feeding and educating of homeless and friendless children. In dealing with appropriations to charitable institutions organized by individuals or associations, whose applications have been passed upon by the Board of Charities where a division of the items in the Appropriation bills would permit, I have approved such items as were recommended by the Board of Charities, and have disapproved such items as were either not submitted to that Board or which being submitted, failed to meet its approval. I have also, in some cases where the approval of the Board of Charities was lacking, so far yielded to the Legislative judgment as to approve bills for the aid and maintenance of hospitals for the sick and wounded in industrial centers, and in places where a number of railroads and public works created special demand for a provision for the relief of the sick and wounded.

Upon these general lines of policy I have endeavored to discriminate between the many appropriation bills submitted to me.

The above enumerated bills do not fall within any of the classes I have mentioned. The associations or institutions in whose behalf, and for whose relief they were passed, apparently have never presented their claims to the Board of Charities, as required by the

Act of 1869; nor have they ever been passed upon by that Board. I am therefore without any such information as would warrant me in giving my approval to these bills.

ROBT. E. PATTISON.

Veto of "An Act to Fix the Number of Representatives in the General Assembly of the State and to Apportion the State into Representative Districts as Provided in the Constitution."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 23, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 742, entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into Representative districts as provided in the Constitution."

The apportionment of the State into Representative districts according to the letter and plain intent of the Constitution is not a difficult matter; nor is it one in the execution of which any partisan ingenuity needs to be exercised to secure for the political majority of the people of the State their full and entire rights of representation. The ratio is found by dividing the whole population of the Commonwealth, according to the last Federal census, by two hundred. The resultant ratio of this calculation is 26,290. Each county, however, is started with one member, likewise every city containing a ratio. Every county with over 100,000 is to be divided into separate districts. In counties with five ratios or less, a surplus exceeding half a ratio shall be entitled to a member, and in counties of five ratios or more, a full ratio shall be required for each member.

Every intendment of this system is to protect and

preserve the rights of the smaller districts, and the manifest tendency is toward single representative districts. These explicit directions have been followed, in the main, in this apportionment, and where they are departed from in any degree, had the General Assembly followed any consistent principle of division and allotment doubts would certainly have been felt in the executive mind as to the propriety of disturbing the conclusions reached. But it is all too plain that in the partitioning of a number of the larger counties of the State considerations have been allowed to govern which have no place in the constitutional idea of a fair and proper apportionment. These blemishes and incongruities in the bill render it intolerable; I have been the readier to veto it on their account, because within two years another General Assembly will have an opportunity to apportion the State into legislative districts, and to provide a consistent and uniform system of representation for this decade. The counties of Lackawanna, Luzerne and Schuylkill will abundantly serve to illustrate what I conceive to be a deliberate purpose to apply a principle to one political division of the State which is ignored or reversed in another. These three counties are all what are known as anthracite coal counties, and their representation is largely grouped in boroughs. Yet it is to be seen that the single district system is applied to two of them; Lackawanna is cut into five single and separate districts, and Luzerne into seven, while Schuylkill's six members are apportioned among only four districts. The single district system is not applied to Lancaster, with four members, outside of Lancaster city; to Berks, with three members outside of Reading; to Montgomery, with five members; to Westmoreland, with four members; though all of these have over one hundred thousand population, and could practically have been divided into single districts, if the principle of repre-

sentation applied to Luzerne and Lackawanna had been consistently adhered to.

In the division of Montgomery county, if it were for any reason expedient to divide the five members otherwise than among single and separate districts it was altogether practicable to have made two districts—one for three and the other for two members. The bill under review, however cuts the county into two wholly unequal districts, one with four members, and the other with one. It is no mere chance that the heavy majorities of one political party are all grouped together and crowded into this one single district. The Executive is not disposed to make partisan advantage the test of approval of any apportionment bill, yet when one presented to him contains such an outrageous gerrymander as this, so manifestly in the interest of a political organization opposed to that of which he is a member, he feels it to be a public service as well as a political duty to protect his fellow citizens of his own faith from the unjust consequences of it.

The constitutional direction for the division of every county "having over one hundred thousand inhabitants," while it does not expressly prohibit such division of counties of less than one hundred thousand, has always been regarded as practically making such prohibition by implication, and until this bill, no attempt has ever been made to divide a county of less population, unless it contained a city with a full ratio. In this bill an exception of York county—a circumstance that is not without political significance. Not only is this county, with less than one hundred thousand population, divided, but a glance at the geographical lines of division discloses an utter disregard of the constitutional consideration of compactness and contiguity. A district that extends from Hellam township on the east, to Washington on the west, and includes both and yet passes over and assigns elsewhere

the townships of Dover and West Manchester, directly within the lines of congruity and compactness, could only have been shaped to meet and serve a partisan advantage.

The division of counties containing less than one hundred thousand population ends with York county. Chester with 89,377, Erie with 86,074, Fayette with 80,006 and Northampton with 84,220, not to mention others of considerable population are left intact. This discrimination was not made without a design that is not countenanced by the Constitution.

I might notice in detail other objectional features of this bill, such for instance as the putting the Twenty-fifth and Twenty-third wards of Philadelphia in a double district, with two members, whereas they are of nearly equal population, and in other parts of the city the system has been almost uniformly followed of making single districts out of single wards where the conditions would permit. So, too, there is a wide variance between the system applied to the city of Philadelphia, of making many single districts with separate representation and that upon which Pittsburgh is comprised chiefly in large districts with four members each.

I believe enough illustrations have been furnished to demonstrate that this bill is not such an apportionment as the Constitution contemplated or as fairness and common justice demand. In view of this I would not be justified in giving it my approval.

ROBT. E. PATTISON.

Veto of "An Act to Organize and Define the Congressional Districts of Pennsylvania."

Executive Department,
Commonwealth of Pennsylvania,
Office of the Governor,
Harrisburg, Pa., June 23, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 878, entitled "An act to organize and define the Congressional Districts of Pennsylvania."

This bill ought to be a fair division of the State, without regard to partisan advantages, into Congressional Districts, based on the Census of 1890, and upon the representation to which Pennsylvania is entitled under the Act of the Federal Congress. The number of Representatives thus assigned to the State is thirty and the contemplation of the Act of Congress, as well as the spirit of all our apportionment laws, is that the Congressional Districts of the State should be single, composed of contiguous territory, convenient of arrangement, and containing, as nearly as practicable, an equal number of inhabitants.

The present bill is objectionable, first of all, in that it is not an apportionment based on the Census of 1890 at all. It is simply a re-enactment of the apportionment of 1887, which was based on the Census of 1880; with the modification that of the two additional members allotted to Pennsylvania, one is assigned to Philadelphia and the other to Allegheny county. With this exception, and the excision from the present district consisting of the counties of Fayette, Washington, Greene, of that portion of Allegheny county now connected with them, this bill is a re-enactment of the act to organize and define the Congressional Districts under the Census of ten years ago.

The apportionment of 1887 was highly objectionable in many features and abounded in glaring violations of the spirit of a fair assignment of representatives. Its inequalities are heightened by a measure which ignores all changes of population in the State outside of two counties.

By dividing the entire population of the State by the number of Congressmen allotted to it, the Congressional ratio is ascertained to be 175,267. In the districts made by the bill before me, the variation from this ratio ranges from 129,904, which is 46,363 less than a ratio, to 245,756, which is 70,479 more than a ratio, the difference between these two districts aggregating 116,842. In the city of Philadelphia two of the districts show a difference in population of 77,606. The Twenty-third district, in Allegheny county, contains 163,999 population, being 11,268 less than a ratio, while the Twenty-second district, adjoining it, and extending over four counties, with widely diversified interests, contains 245,746 population. There are six districts in the State in which the average population is 211,776, while there are six other districts in the State in which the average population is only 140,732. It is idle to contend that such disparities are unavoidable; the startling comparisons serve to suggest with what utter disregard of the principle of equality of population this bill was framed. These contrasts might be extended to a very much greater length. It is demonstrable that a certain body of the population of Pennsylvania under the provisions of this bill would have nine representatives in Congress, while another body of citizens, with almost the same population, would have but six representatives; this is virtually giving to citizens of some sections of the State half as much more representation in Congress as the citizens of certain other sections have.

Of the thirty districts provided for in this bill, four-

teen of them have more than a ratio of population, and these fourteen contain 2,775,828 of the people of the state, an average of 198,278; sixteen districts contain only 2,472,186, more than 300,000 less than the number represented by fewer representatives, and the average population of each of these districts is only 154,511. There is an average surplus of over 23,000 in fourteen districts of the State, and there is an average deficiency of about 21,000 in sixteen districts. I am fully persuaded that such gross discrepancies and flagrant inequalities could have been avoided had the Legislature undertaken, in a spirit of fairness and freedom from the spirit of partisanship, to frame districts as nearly equal in population as practicable.

While it is true that in the arrangement of the Congressional districts the General Assembly exhibits no such disposition as appears in the Judicial Apportionment to wholly disregard contiguity of territory, yet a glance at the map of Pennsylvania, and a most cursory examination of the manner in which its Congressional districts have been carved out are enough to satisfy any impartial mind that no serious or sincere attempt has been made to form districts of compact and convenient arrangement. For example, the Nineteenth District, which extends from above the center of the State to the Maryland line; the Thirtieth District, misshapen and grotesque, stretching almost half across the State; the Twenty-ninth District, holding within its embrace the remote counties of Cameron and Venango, are sufficient illustrations of the utter disregard of convenience and compactness which has characterized this bill.

The Executive has felt great anxiety that the General Assembly should promptly meet and discharge all of its duties relating to apportionment. He noted with great solicitude that this duty was postponed and neglected throughout almost the entire session, and the

fact that the Congressional apportionment now presented for his approval is simply a modification of the bill of the last decade convinces him that it was not enacted with any confidence that it could be fairly expected to meet his approval. He is therefore entirely willing to postpone the Congressional re-apportionment of the State to a Legislature which shall be elected by the people, thoroughly awakened to a sense of how their representatives have failed to meet this duty.

ROBT. E. PATTISON.

Veto of "An Act Relating to the Establishment of a Separate Orphans' Court in and for the County of Lancaster."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 24, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 498, entitled "An act relating to the establishment of a separate orphans' court in and for the county of Lancaster."

This bill is anomalous in that it establishes a separate orphans' court for the county of Lancaster, and yet postpones the time at which the law shall go into effect and when the first judge of this court shall be elected until the general election in November, 1893, more than two years after the passage of the act, and beyond the period within which another legislature will have met and no doubt have completed its work and adjourned. If there exists a necessity for establishing a separate orphans' court in the county of Lancaster such as to justify this legislation, there is no good reason why the creation of such a court, and the election of a judge to fill it, should be thus postponed. If no present necessity exists for the court it will be

time enough when the next General Assembly shall have met for it to consider and to pass upon this question. Meantime ample opportunity will be given to the people of Lancaster county to elect representatives to the General Assembly, and at least one member of the Senate, with a view to having them express the views of their constituents upon this question, which will then be of immediate concern. Moreover, there has been laid before me a copy of the memorial addressed to the Legislature by fifty six members of the Lancaster bar, comprising a large proportion of the most prominent practitioners before the courts of that county, declaring that the time has not arrived for establishing such a court, and that the expense of maintaining the court would be greater than the costs now paid for the auditing of estates, besides imposing the responsibility of litigation upon the State instead of upon suitors where it should justly fall. It seems to me, in view of such representations, and with the anomalous features contained in this bill, upon which I have animadverted, that in accordance with the general policy of not lending my approval to the increase of judges in the State, except where plain necessity exists for the same, my approval of this measure would be without justification.

ROBT. E. PATTISON.

Veto of "An Act to Designate the Several Judicial Districts of the Commonwealth as Required by the Constitution."

Executive Department,
Commonwealth of Pennsylvania,
Office of the Governor,
Harrisburg, Pa., June 24, 1891.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 208, entitled "An act to designate

the several judicial districts of the Commonwealth as required by the Constitution."

This bill is a legislative designation of the judicial districts of the Commonwealth, in accordance with the 14th section of the schedule of the Constitution, which reads as follows:

"The General Assembly shall at the next succeeding session, after each decennial census, and not oftener, designate the several judicial districts, as required by this Constitution."

When the judicial apportionment of 1881 came to be made upon the census of 1880, there were in commission in the Commonwealth seventy-seven judges learned in the law. The apportionment of 1881 increased this number to eighty-six. In vetoing that bill, one of my distinguished predecessors, Governor Hoyt, said:

"There is now a universal recognition of the inexpediency of the great increase of judges in the Courts of Common pleas, hindering their efficiency and affecting the dignity of the judicial office, and by imposing duties and labors upon them in many of the districts far within reasonable requirements upon their time and ability, tending to lower the public estimate of their functions. The number of law judges in Pennsylvania exceeds the number of the judges in all the courts of the United States, and salaries of the judges in the State exceed the salaries paid to the Supreme Judges, the Circuit Judges and the District Judges of the United States, by more than one hundred thousand dollars annually. If any tendency to impolitic and inconvenient results exists in the Judiciary of the Constitution, we can, at least, minimize the mischief by a rigid adherence to the definitions and limitations of the article."

Two years later another judicial apportionment was passed, but with a considerably reduced number of

judges. In 1883, yielding to what I deemed a proper regard for the mandate of the Constitution to local necessities, and to the act of the Legislature in so revising the apportionment of 1881 as to but slightly increase the number of the judiciary, I approved a judicial apportionment which provided for eighty law judges in the Commonwealth. Since then special acts have added eleven to the number; the present Apportionment bill, and another which is before me, to create an orphans' court in Lancaster county, would increase the total to ninety-eight. Time and experience have added force to the opinion that a rapid increase in the number of judges has detracted from the dignity of the judicial office, without adding to the efficiency of the courts, or raising them in public esteem. If there is any provision of the Constitution about which, more than any other, considerate and thoughtful men are in doubt, it is that which creates a separate judicial district in every county containing over 40,000 population, and I am of the opinion that there is such a general recognition of the mistake made thoughtful men are in doubt, it is that which creates in the multiplication of judges, that if it were to be provided for anew, the population requisite to a separate district would be greatly increased.

Recognizing, however, and bowing to the binding force of the Judiciary articles of the Constitution, as they stand, I am willing only to approve such legislation as strictly conforms to the requirements of those provisions.

Experience has also demonstrated that the mischief once done by an unnecessary increase of the judiciary can never be repaired. The number once enlarged beyond the actual requirements of public necessity is never contracted. In three conspicuous instances judgeships created to meet special exigencies, and to

provide for a sudden increase or accumulation of business were to have terminated with the exigency that evoke their establishment. In every case the effort to continue them was as vigorous and persistent as that which had established them upon the understanding that they were to endure for a term only. Of the many urgent representations made to me in behalf of executive approval for these bills, nearly all are based on political, personal or local consideration. Much account is made of the constitutional "requirement," that every county containing over 40,000 population shall be made a separate district, but it is altogether lost sight of and has apparently been ignored by the Legislature in framing this bill, that to such counties there may be attached for judicial purposes contiguous counties with a less population. In such cases as those of Centre and Jefferson counties, which the census of 1890 discloses as having each attained the constitutional requirements of a separate district, smaller counties might be attached under the constitutional provision, as it has been interpreted by the Supreme Court. The consideration, therefore, that if the present bill fails of approval, certain counties will, for the time being, fail to secure that separate nominal judicial character to which the constitution entitled them, is answered by the fact that no such county is fairly entitled to be entirely freed from such an attachment, unless its own business is so extensive as to fully occupy the time of one judge. An apportionment which would make Jefferson county "a separate" judicial district, with Clarion attached, would be just as strictly constitutional as one which joins Clarion and Jefferson in a convenient single district. The same is true of Centre and Huntingdon.

Examining the bill in detail, incidentally and at the outset, I observe a sign of the General Assembly's insincerity or inconsistency in the section providing for

an orphans' court in Schuylkill county, whereas the bill creating such a court in that county failed of passage. A judge without a court would indeed be an anomaly. Inasmuch as the Orphans' Court jurisdiction of the common pleas judges in that court shall only cease and determine when the General Assembly shall have established a separate Orphans' Court, in the absence of any such establishment, the election of an Orphans' Court judge, under this apportionment bill, might raise most serious questions of conflict of jurisdiction.

My further objections to the present bill are, that while it increases the number of what has generally come to be recognized as a too numerous class of public functionaries; it makes such increase without regard for the actual increase of legal business, and upon no uniform system of the ratio of population in the several districts; it reduces districts or increases judges where, by common consent, no necessity whatever exists.

In the present district composed of Union, Snyder and Mifflin counties, a most efficient and popular public servant has for years discharged and dispatched the business of the Courts with ample time to do it all, and abundant leisure to do more. This scheme cuts off from this district the county of Mifflin, and leaves two small counties with little more than 35,000 population to occupy the time of a learned and well trained jurist, who could not possibly be occupied half the year with the business of this diminished district.

The present district of Elk, Cameron and Clinton is partition and diminished, notwithstanding the fact most forcibly brought to my attention that the district as now constituted, with less than sixteen weeks court in the year, affords very light work for one judge. Moreover, Cameron county being taken out of this dis-

trict leaves two counties, separated by its entire extent to form the Twenty-fifth district. The Constitution does not absolutely provide that the several counties forming a single district shall be contiguous, but it does require that single districts thus formed shall be "convenient," a qualifying term that certainly did not contemplate their remote separation, nor that one judge should travel across another's bailiwick to reach the scattered parts of his own jurisdiction. Certainly no such condition should exist, except by reason of some overriding necessity. The formation of a district from the wholly disconnected counties of Fulton and Adams was a bad precedent. It should have been cured instead of being duplicated. If that plan of framing districts is persisted in, presently the fragments of "single convenient districts," will have to be looked for in entirely different parts of the State, and under toleration of such an apportionment all kinds of partisan schemes will be hatched. In the organization of the forty-second district of Potter and Cameron counties with 30,000 population, and courts for about eight weeks in the year is to be found the real reason for wrenching Cameron out of its present judicial relations. The apportionment of 1883 designated McKean county with Potter county attached to be the Forty-eighth district; subsequently in 1887 an additional law judgship was created to terminate at the end of ten years. Presumably the business of these two counties did not justify the continuance of two judgships in this district; and so Cameron county, with but 7,238 population is attached to Potter to furnish pretext for creating another district. The history of this district as contemplated by the bill under review illustrates the process by which judges are multiplied, not only after each decennial census, but continually during the interval.

In Delaware county a single judge has for years ad-

ministered the business of all the courts without complaint from the people of the law's delay, and without remonstrance from the court that it was overburdened. The bill as reported from the committee, and as discussed before the public, contained no suggestion of two judges there, and yet late in the session the added one was put into the bill and formed a feature thereof, against which most earnest protest has been made to me, and in support of which I have not heard a single justification. In the neighboring county of Bucks, with only 4,000 population less than Delaware, one judge dispatches all the business of the courts, and in the county of Lehigh, with 2,000 more population than Delaware, one judge is found competent to dispose of all the business; while in counties of like size, in other parts of the State, such as Erie, Lycoming, Northumberland, Clearfield, Cambria, Washington, Crawford and Blair, all over 65,000 population, one judge is found to be ample for the wants of the respective districts.

Of the districts formed by this bill one has a population of 30,016, another of 27,511; others respectively of 35,461, 36,802, 37,577, 43,209, 44,005, 43,633, 42,931, 40,422, 42,175, a dozen districts, not one of them with 45,000, none of them with any extraordinary conditions calling for the unusual dispatch of litigation; out of many of them complaints are heard from the profession of a shrinkage in law business, and in quite a number of instances there are contiguous counties with less population which could be conveniently attached.

With these I put in contrast not only the half-score single-district counties enumerated, in each of which one judge is found ample for from 65,000 to 85,000 population, but even in the counties of a larger population where the interests involved in litigation are proportionately greater and more complex, the ratio

of judges to population will be found to be about one in 60,000.

In Dauphin and Lebanon counties with the highly important and numerous Commonwealth cases added to the local business of 145,108 people, two judges administer the business of all the courts with great efficiency and promptness; and in the county of Westmoreland, which shows remarkable material development and industrial activity, a single judge officiates in a court wherein the business of 112,819 population is transacted with eminent satisfaction.

Representations have been made to me from certain counties that this bill is needed to relieve the public from mistakes now freely admitted to have been made by the people in their selection of judges. This is not the occasion to discuss the mirits of an elective judiciary; but I am quite sure the people of no district have a right to appeal to the Legislature or the executive to relieve them in this form from the consequences of their own error. It has been seen that while the Constitution directs the designation of the several Judicial districts to be made after each decennial census "and not oftener," the intervening sessions of the General Assembly record steady increase in the number of judges. If in addition to these special enactments, the decennial General Apportionment is to regularly create new districts and make new judges, the fecundity of the system will lead to most startling results. Every additional judgship created entails an annual expense of $4,000.00 upon the Commonwealth. I am concerned not only about the drain on the Public Treasury, but for the effect upon the dignity of a great profession and the popular estimation of the most exalted office known to our government. Recurring to the expression of Governor Hoyt, when he vetoed a bill providing for twelve judges less than are contemplated in the bills before me, "A decisive point has

been reached on this question, and if errors have been made in the fact, by reason of a failure to comply with the fundamental law or sound policy, no more favorable opportunity for revision and correction than the present will occur."

ROBT. E. PATTISON.

Veto of "An Act Relating to Street Passenger Railway Companies, Providing for a Sale or Lease of their Property and Franchise to Motor Power Companies, and for their Contracting for the Construction of Motors, Cables, Electric Apparatus and Appliances, and Providing for the Validity of Sales, Leases and Contracts Heretofore Made."

Executive Department of the Commonwealth,
Office of the Governor,
Harrisburg, Pa., June 25, 1891.

I HEREWITH FILE, IN THE OFFICE OF THE Secretary of the Commonwealth, with my objection, Senate bill No. 63, entitled "An act relating to street passenger railway companies, providing for a sale or lease of their property and franchises to motor power companies, and for their contracting for the construction of motor cables, electric apparatus and appliances, and providing for the validity of sales, leases and contracts heretofore made."

The subjects of this bill as set forth in its title are somewhat various, and it may well be doubted whether the extension of the powers and privileges herein contemplated, to street passenger railway companies, is in accordance with sound public policy; but it is needless to discuss this consideration at length, for the reason that the special vice of this bill, and the one which renders it fatally objectionable to my mind is the provision which declares all such sales, leases, contracts, obligations and securities, heretofore given, to

be valid as though this act was in existence at the time of their execution. This is carrying retroactive legislation to the furthest possible extreme. As I have had occasion to observe during the last session of the General Assembly, in giving my approval to some bills and in disapproving others, there is a certain kind of curative and remedial legislation which may be permitted. The framers of the present State Constitution allowed the door to stand open for the passage of retroactive, remedial laws and left that power with the Legislature, but they never proposed that it should be subject to the abuses which bills of this character might lead to. Within the bounds which wise and eminent jurists have defined for the proper operation of remedial legislation, it is not a dangerous power and can work no mischief; but when, in broad and general terms, a measure provides that all previous sales, leases, contracts, obligations and securities, which were not valid heretofore because the law was different than from what it is proposed to be made, shall be validated and confirmed, circumspection must be exercised to see that such unusual legislation works no private wrong and effects no vested interests. It has been brought to my notice, not only that the approval of this bill would effect rights which are now the subject of litigation, but that its enactment was secured for that direct purpose. Certain street passenger railway companies have heretofore effected sales or leases of their property and franchises, which, under the law as it stood at the time, they were not competent to make. Their right to do so has been questioned in the courts. Their act is claimed to have worked wrong and injustice, against which the courts have been appealed to intervene. While that litigation pending, and for the express purpose of affecting and deciding it, to control the judgment of the court in which it is pending, and

to make this new law react upon the subject of such litigation is the express purpose and will be the undenied result of this bill.

This matter being brought to the attention of the Executive in the most forcible and direct way, and being presented in the protests of parties to the pending litigation, I would be wholly unmindful of my duty to see that the laws of the State are "faithfully executed," if I permitted and approved such an invasion of the principles of equity and of justice. Corporations, like individuals, must be presumed to know the law of the Commonwealth.

Their ignorance of it will not excuse their usurpations. If they execute leases and make other contracts, ultra vires, they must take the consequences. If, in a further exercise of such extraordinary powers, they encroach upon private rights, or affect public interests, they have no right to expect the Legislature and the Executive to come to their rescue. Remedial legislation, to cure mere defects of form, and when it works no injustice, may be tolerable; but in most such bills as this the proviso is inserted that it shall not affect pending litigation; and all retroactive legislation which has that effect, much more all which has that direct purpose and object, must be viewed with suspicion.

ROBT. E. PATTISON.

Veto of Part of "An Act to Provide for the Ordinary Expenses of the Executive, Judicial and Legislative Departments of the Commonwealth, interest on Public Debt, and for the Support of the Public Schools, for the Years Anno Domini One Thousand Eight Hundred and Ninety-one and One Thousand Eight Hundred and Ninety-two."

APPROVED—THE 9TH DAY OF JUNE, A. D. 1891, except as to the following items:

Department of Internal Affairs.

Section 2. "For the employment of skilled draughtsmen to copy old and mutilated survey and other valuable documents now on file in the Department of Internal Affairs by the Act of February 16th, 1833 (P. L. page 47), and for the purchase of county warrantee maps, the sum of six thousand dollars for each of the years ending respectively, June 1st, 1892 and June 1st, 1893."

This item is disapproved. It appropriates twelve thousand dollars for the purpose of making copies of old papers, and for purchasing warrantee maps. It is attempted to justify the first of these purposes by authority of the Act of 1833. The department which has charge of these records is liberally equipped with thirteen clerks, and has a generous contingent fund regularly appropriated to it. It certainly was the intention of the Act of February 16th, 1833, that its files and records should be kept and maintained in good condition from time to time, and not that they should be allowed to fall into such condition that a special appropriation of twelve thousand dollars would be required to replace and restore them. Having already approved in this same section appropriations of sixty-two thousand dollars for clerk hire, five thousand dollars for contingent expenses, three thou-

sand dollars for miscellaneous and incidental expenses, and six thousand dollars for traveling and other incidental expenses, including the collection of statistics. I feel that ample appropriation has been made for all the necessary work of this department.

I disapprove of the following item, viz: "For partitioning off and fitting up two rooms in the basement of the Department of Internal Affairs and supplying said rooms with suitable desks and furniture in which may be kept the records of railroads, canals and other important documents, for which no provision is now made, the sum of fifteen hundred dollars, or so much thereof as may be required, said amount to be paid to the Secretary of Internal Affairs on warrant of Auditor General, and vouchers for all expenditures shall be certified and filed with the Auditor General."

This item is disapproved for the reason that section 12 of this Appropriation bill provides a uniform system for making repairs and alterations of the Public Buildings and for furnishing the several departments with furniture and other supplies. This work is peculiarly within the province of the Board of Commissioners of Public Grounds and Buildings, and is amply provided for in said section.

Department of Public Instruction.

I disapprove the item "for the salary and clerical assistance for the educational Supervisory Board, under the act, entitled 'An act to provide for the attendance of children in the schools of the Commonwealth,' the sum of twenty-four hundred dollars for the year 1891, and the like sum for the year 1892," for the reason that the bill under which this appropriation is to be expended does not meet my approval, and therefore there is no occasion for the expenditure.

In the same section, I disapprove of the following item: "For the payment of the traveling expenses and

clerk hire of the Industrial Educational Commission, five thousand three hundred dollars, or so much thereof as may be necessary," for the reason that there is no such commission in existence, and the Department of Public Instruction is sufficiently equipped without delegating such labors to a commission. A commission was created under a concurrent resolution of the Legislature, approved May 19th, 1887, on the subject of Industrial Education. The commission appointed thereunder, made a full report to the succeeding Legislature, and the Appropriation bill for 1889 provided for the payment of all the expenses of that commission, and for the printing of ten thousand copies of its report. There was no subsequent legislation for the continuance of the commission, nor are its expenses in any sense a part of the ordinary expenses of the Executive, Judicial and Legislative Departments of the Commonwealth.

Factory Inspector.

I disapprove the following items: "Made on condition that the amendment to the Factory Inspectors' Law, now pending, shall become a law:" "For the payment of six additional Deputy Factory Inspectors, two years, twelve thousand dollars, or in case a less number shall be appointed under the above amendment, the sum of one thousand dollars per year each for as many as may be appointed."

"For the additional contingent expenses of the Factory Inspector, the sum of two thousand dollars."

"For the payment of the traveling expenses of the six additional Deputy Factory Inspectors the sum of six thousand dollars, or should a less number be appointed, the sum of five hundred dollars per year each, for such a number as may be appointed." The proposed amendment to the Factory Inspector's law not having become a law, the above items of expenditure are unnecessary.

Section 24. I disapprove of the following item: "For the payment of the services of such persons as may be employed by the accounting officers to discover and prosecute delinquent corporations, which have hitherto evaded taxation or bonus, so much of the several amounts collected and paid into the State Treasury from such delinquent corporations as may be necessary for that purpose, not exceeding ten per centum thereof."

The expenditure provided for in this item does not seem to one of the ordinary expenses of government for which the General Appropriation bill is intended to provide. It partakes of the nature of legislation to provide for the collection of delinquent taxes a subject which properly belongs to the Auditing and Law Departments of the State, and is amply provided for by existing laws.

Section 25. I disapprove of the following item:

"For the payment of the expenses incurred and the services rendered on account of the location of the "Circle of New Castle," being the boundary line between the States of Pennsylvania and Delaware, as provided by the Act of May 4th, 1889 (P. L. page 81), the sum of three thousand dollars, said amount being in addition to the amount appropriated in said Act, and which additional appropriation is now found necessary to complete the work provided for therein."

This is an appropriation to supplement a special appropriation made by a special Act of May 4th, 1889, and intended to provide for the continuation of special work provided for by that act. The item is in no sense one of the ordinary expenses of the Executive, Judicial and Legislative Departments of the Commonwealth, but is of that class which must be provided for by a special bill, and has no right place, whatever, in the General Appropriation bill.

Section 26. I disapprove of so much of this section

as is embraced in the following items: "For the forty-six counties making reports for the year one thousand eight hundred and eighty-nine, the sum of three thousand four hundred and fifty dollars. For the forty-three counties making reports for the year one thousand eight hundred and ninety, the sum of three thousand two hundred and twenty-five dollars." These items are for the expenses of the Commonwealth for two years, 1889 and 1890. If these expenditures were properly incurred they must be provided for by special appropriations. The title to the present bill limits the appropriation made by it to the ordinary expenses of the government for the years 1891 and 1892. The special Act of May 9th, 1889, under which these expenditures were incurred, contemplated the collection and compilation of tax statistics for every county of the Commonwealth, and without such complete reports the compilations and collections are necessarily of little value; on this account, alone, it might be questioned whether the expenditure was a judicious one, but, in any event, the appropriation is for previous years and is improperly embraced in this bill, whose subjects, both by its title and Section 15, Article III, of the Constitution, are restricted to appropriations for the ordinary expenses of the Commonwealth for two years embraced in its title. "All other appropriations shall be made by separate bills."

I disapprove the following items:

Section 27. "For the payment of the expense of the joint committee of the Senate and House of Representatives appointed to inquire into the recent failures of incorporated and private banks, authorized by resolution of January twenty-one, one thousand eight hundred and ninety-one, the sum of seven thousand five hundred dollars, or so much thereof as may be necessary, the same to be paid on the warrant of the Auditor

General on a statement rendered him by the chairman of the joint committee."

Section 34. "For the payment of the expenses of the committee of Appropriations of the Senate in visiting and examining schools, asylums, hospitals, reformatories and prisons, supported in whole or in part by the State, the sum of three thousand eight hundred dollars, or so much thereof as may be necessary, to be paid by the State Treasurer on warrants drawn by the Auditor General on vouchers presented by the chairman of said committee."

Section 38. "For the expenses of the Finance Committee in the investigation of the account of the city treasurer of Philadelphia with the Commonwealth of Pennsylvania, three thousand dollars, or so much thereof as may be necessary, the same to be paid on the warrant of the Auditor General on the statement rendered him by the chairman of said committee."

Section 39. "For the payment of the expenses of the committee of appropriations of the House of Representatives in visiting and examing schools, asylums, hospitals, reformatories and prisons supported in whole or part by the State, including clerical services, the sum of ten thousand two hundred and fifty dollars, or so much thereof as may be necessary, to be paid by the State Treasurer on warrants issued by the Auditor General on vouchers presented by the chairman of the said committee."

Each of these items covers an appropriation for expenses as alleged to have been incurred by select, or by regular standing committees of the two branches of the General Assembly, in the discharge of their several duties. No vouchers have been filed, nor is any detailed statement produced of the character of these expenses.

The lump appropriations are fastened upon the General Appropriation bill as "riders," notwithstanding

the plain, constitutional direction that the General Appropriation bill "shall embrace nothing, but appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt and for public schools; all other appropriations shall be made by separate bills, each embracing but one subject." The fact that the expenditures of this character embraced in the General Appropriation bill have been increasing at an alarming rate, is sufficient proof that they are not of an ordinary character, but are unusual. In 1883 the General Appropriation bill contained such items amounting to $4,163.91, and in the case of the special committee whose work had been performed during the session, an itemized statement appeared in the bill exhibiting the amount paid to each person.

In 1885, all the appropriations of this character aggregated $2,461.43; they were contained in two sections, carefully itemized and showing the amount paid to each person.

In 1887, they had increased to $6,965, but the entire expenses of the appropriation committee of the Senate were $965, and no appropriation was made for the committe of the House.

In 1889, the general appropriation bill embraced $21,845, for the expenses of the Legislative Committees, besides large amounts for special commissions entrusted with peculiar duties, such as the revenue, road and poor law commissions. The expenses of the House Committee on appropriations had grown to $8,200. In the present bill the appropriations for expenses of Legislative Committees alone reached nearly $40,000; the Senate Committee on appropriations having increased its expenses to $3,800, and the House Committee to $10,250. None of them is itemized in the bill, and with a single exception, I am informed, these committees have filed no bills nor vouchers. It

seems to be opportune, therefore, if not absolutely necessary, that some check should be interposed to such a loose, irregular system of appropriations, that is encroaching upon the limitations with which the general appropriation act should be surrounded.

I might be justified in disapproving all such items, but inasmuch as there seems to be special occasion for inquiring into the past management of the Soldiers' Orphans' Schools, investigation of the present method of conducting the business of the State Treasury, and some other subjects of investigation, I am not willing such inquiry should be disregarded, deterred or prevented by my withholding the necessary appropriation. I leave it, therefore, with the Auditing Department of the State to guard against the payment of any portion of these appropriations, except for legitimate expenses actually incurred. For the future, however, I recommend and give this timely notice that appropriations for such special purposes should be made the subject of separate bills, each containing a single object. The legitimate expenses incurred by the committees of the Legislature whose work is done, can be exhibited in bills properly vouched, and whatever amount is absolutely necessary to defray them can be made the subject of a special appropriation properly itemized and submitted to the consideration of the next General Assembly. There is no disposition to have the Commonwealth evade any just liability arising out of the necessary work of the Legislature for expenses properly incurred by its committees, but there must be some limit put upon a system that may easily be made a cloak for imposition upon the State Treasury.

The other items of the foregoing bill are approved.

ROBT. E. PATTISON.

Veto of Part of "An Act Making an Appropriation for the Protection and Propagation of Fish."

June 20th, 1891.

I APPROVE ALL THE ITEMS OF THE BILL making an appropriation for the protection and propagation of fish, except the following:

"And the sum of two thousand dollars, or so much thereof as may be necessary, is hereby specifically appropriated for the erection and furnishing of a sub-hatchery in Lackawanna or Monroe county, as the commissioners may see fit to locate it." I am reliably informed by members of the fish commission that there is no immediate or pressing necessity for a new sub-hatchery. The appropriation of two thousand dollars would not in itself be sufficient to provide for such a hatchery and the maintenance thereof, and it would involve and make necessary very much larger appropriations hereafter than are contemplated by this bill. I am of the opinion that the project of establishing another sub-hatchery can with profit be postponed until the necessity for it is more clearly demonstrated, by which time ample appropriation can probably be made for the maintenance as well as the establishment of the same.

ROBT. E. PATTISON.

Veto of Part of "An Act Making an Appropriation to the Medical and Surgical Department of the Western Pennsylvania Hospital at Pittsburgh."

APPROVED—THE 22D DAY OF JUNE, A. D. 1891, except as to the following items:

"And the further sum of thirty-two thousand dollars is hereby specifically appropriated to the said institution for the purpose of paying the deficit in the

hospital maintenance account for the years one thousand eight hundred and eighty-nine and one thousand eight hundred and ninety."

The item of this bill which has met my approval appropriates the sum of ninety thousand dollars for the maintenance of this institution. I am not disposed to encourage the mismanagement of hospitals which incur "deficiencies," by approving bills for State aid to make them up. A direction which permits such deficiencies to occur, cannot be regarded as wise and prudent, and without further explanation of the responsibility for such a condition of things, I am not willing to encourage a repetition of such recklessness by so readily extending the bounty of the Commonwealth to relief from its results.

ROBT. E. PATTISON.

Veto of Part of "An Act Making an Appropriation for the State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania."

APPROVED—THE 22D DAY OF JUNE, A. D. 1891, except as to the following items:

For extension to corridor to bring patients in under cover and for repairing wash and waiting rooms and calcimining same,	$1,500
For flooring and plastering cellar for year commencing June 1, 1891,	1,000
For flooring and plastering cellar for the year commencing June 1, 1892,	1,000
For painting tin roof and wood work of hospital and out buildings and for glazing the same,	1,000
For horses and ambulance to railroad station and for work upon grounds,	300
For harness, ambulance, cart and wagon,	150
For repairing and painting ambulance and wagon,	100
For new kitchen range,	250
For kitchen utensile,	400

For general repairs to heat, water and gas pipes, laundry, machinery, boilers, walls, etc., ...	500
For perpetual insurance on buildings, ...	1,300

These items are disapproved for the reason that they are not recommended by the State Board of Charities, whose duties it is made under the law to inquire carefully into the grounds of the requests by state institutions for aid, and to report the result of such inquiries, together with the opinions and conclusions of the Board thereon. I approve in the above bill the appropriation of $64,000 for the years 1891 and 1892, for the salaries of officers and employes and for the general support and maintenance of the institution. This seems to be a liberal allowance, and is the full amount for which the institution applied for maintenance, and which the Board of Charities recommended. If any regard whatever is to be had for the functions of that board its presumably deliberate and careful investigation of the wants of state institutions, and its report upon the same, ought to carry with it such weight as to command respect from the executive, even if otherwise treated by the General Assembly.

ROBT. E. PATTISON.

Veto of Part of "An Act Making an Appropriation to the Gynecean Hospital, in the City of Philadelphia."

APPROVED—THE 22D DAY OF JUNE, A. D. 1891, except as to the following item, which is disapproved:

"And the further sum of seven thousand five hundred dollars is hereby specifically appropriated to said institution for the improvement and furnishing of its buildings for the two fiscal years beginning June first, eighteen hundred and ninety-one, and June first, eighteen hundred and ninety-two, respectively."

I have approved the grant of $20,000 for the payment of the mortgage on this institution and $20,000 for maintenance for two years, as recommended by the Board of Charities. The item which I have disapproved was submitted to that board and did not meet with its approval. I therefore feel that the Commonwealth has dealt generously with this institution in the appropriations which I have approved.

ROBT. E. PATTISON.

Veto of Part of "An Act Making an Appropriation to the Medico-Chirurgical Hospital of the City of Philadelphia."

APPROVED—THE 22D DAY OF JUNE, A. D. 1891, except as to the following items:

"The sum of fifty thousand dollars is hereby specifically appropriated to the Medico-Chirurgical Hospital of the city of Philadelphia, to be applied to the completion of the hospital buildings now in course of construction and furnishing equipments for the same, for the two fiscal years commencing June first, one thousand eight hundred and ninety-one."

This institution belongs to the class of charities organized by individuals and associations. It is not a state institution, nor under state control. It applied to the Board of Charities for the enormous sum of two hundred thousand dollars for general purposes, enlarging buildings, etc. The board, after careful consideration, recommend that its present indebtedness, amounting to twelve thousand five hundred dollars, be paid and that a total amount not exceeding five thousand dollars per annum be appropriated for its maintenance. Had these recommendations been concurred in by the Legislature, the total grant to the institution would have been twenty-two thousand five hundred dollars. I have therefore approved the items appro-

priating twenty thousand dollars for maintenance and have not approved the appropriations for purposes which meet with disfavor from the Board of Charities.

ROBT. E. PATTISON.

Veto of Part of "An Act Making an Appropriation to the Lackawanna Hospital in the City of Scranton."

APPROVED—THE 22D DAY OF JUNE, A. D. 1891, except as to the following items, which are disapproved:

"Twenty-five thousand dollars for the two fiscal years beginning June first, eighteen hundred and ninety-one, for the purpose of erecting a new wing to the said hospital building, and the tearing down and removing of the old building."

"And the further sum of three hundred and sixty dollars for the fiscal year beginning June first, eighteen hundred and ninety-one, to pay the insurance on buildings."

These two items of appropriation were not only not approved by the Board of Charities, but were greatly in excess of the amount submitted to that board for its consideration. The act of April 24, 1869, makes it the duty of all institutions desiring to receive State aid to give notice of the amount of the applications and of the several purposes to which said aid is to be supplied. It is only fair to the Commonwealth that these institutions should at least give to its duly appointed authorities some opportunity to examine into their wants and to make comparison of them with the amounts of money for which they propose to ask. In

this instance eleven thousand and sixty dollars was asked for buildings, etc., and no portion of it was approved by the Board of Charities. Nevertheless, the General Assembly voted twenty-five thousand dollars for additions to the hospital building, for which, apparently, the Board of Charities recognizes no necessity. I have, therefore, approved the amount for maintenance, ten thousand dollars per annum, as recommended by the Board of Charities, and vetoed the other items of the bill.

ROBT. E. PATTISON.

Veto of Part of "An Act Making an Appropriation to the Women's Homeopathic Association of Pennsylvania."

APPROVED—THE 22D DAY OF JUNE, A. D. 1891, except as to the following item:

"That the sum of fifteen thousand dollars is hereby specifically appropriated to the Women's Homeopathic Association of Pennsylvania for the following purposes: Ten thousand dollars thereof for the completion of the maternity building and isolated ward, and for making certain necessary alterations in the main building belonging to said association; said sum to be paid in equal quarterly payments during the two fiscal years beginning June first, one thousand eight hundred and ninety-one."

The appropriation of five thousand dollars toward the running expenses of the hospital of said association for the years 1891 and 1892 meets with my approval. It is the amount recommended by the Board of Charities. The appropriation of ten thousand dollars for

additional building was submitted to the Board of Charities and was by the Board disapproved. I am, therefore, constrained to withhold my approval from it.

ROBT. E. PATTISON.

Proclamation of Vetoes. 1891.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

I, ROBT. E. PATTISON, Governor of the Commonwealth of Pennsylvania, have caused this proclamation to issue and in compliance with the provisions of Article 4, Section 15, of the Constitution thereof, do hereby give notice, that I have filed in the office of the Secretary of the Commonwealth, with my objections thereto, the following bills passed by both Houses of the General Assembly, viz:

Senate bill No. 163, Entitled "An Act to provide for the organization, support and maintenance of associations formed for the protection and saving of human life and property in case of fire, in cities of the first class."

House bill No. 271, Entitled "An Act for the relief of Wilhelmina V. Crans, widow of Saml. M. Crans."

House bill No. 274, Entitled "An Act granting a gratuity to Elmira P. Mullen, mother of S. J. F. Mullen, deceased, late a private in company E, First regiment, National Guard of Pennsylvania."

House bill No. 467, Entitled "An Act providing for payment for horses condemned and killed under the provisions of the act of June two, one thousand eight hundred and eighty-seven."

House Bill No. 669, Entitled "An Act appropriating the sum of fifty dollars for the relief of W. A. Southwell, late treasurer of Susquehanna county, to reimburse him for moneys overpaid to the State Treasurer."

House Bill No. 71, Entitled "An Act to provide for the arrest and punishment of persons guilty of disorderly conduct in the townships of this Commonwealth."

Senate Bill No. 83, Entitled "An Act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid in error,' approved the twelfth day of June, one thousand eight hundred and seventy-eight.

House Bill No. 680, Entitled "An Act to encourage the raising of horses, mules, cattle, sheep and swine, and to regulate fences, within the county of Elk."

Senate Bill No. 144, Entitled "An Act to confer upon the board of public education in cities of the first class, power to sell public school property whenever said board of public education shall deem it expedient to do so, and to provide for the application of the proceeds derived from the sale thereof to school purposes."

House Bill No. 105, Entitled "An Act defining and declaring the meaning of the words "surviving members" and "assessment plan," wherever they appear in the laws of Pennsylvania relating to insuring lives on the plan of assessments, and upon surviving members, or to life insurance on the assessment plan."

House Bill No. 295, Entitled "An Act to make provision for the prevention of mental disorders."

Senate Bill No. 195, Entitled "An act authorizing and empowering cities in this Commonwealth to, by ordinance, regulate and suppress the production and emission of smoke from bituminous coal, and to provide penalties for violation thereof."

Senate Bill No. 390, Entitled "An Act to fix the number and eligibility of select and common councilmen in cities of the first class."

House Bill No. 141, Entitled "An Act to create a board of revision of taxes for the purpose of promoting a more certain and equal assessment of taxes in all counties containing over five hundred thousand inhabitants, together with all counties that may hereafter attain to five hundred thousand inhabitants."

House Bill No. 426, Entitled "An Act repealing an act, entitled 'An act authorizing certain commissioners therein named to review and relay out parts of the Edgemont great road in Delaware county, relative to the estate of William Wollerton in Chester county, and relative to tax on dogs in said county,' approved March twenty-fourth, Anno Domini one thousand eight hundred and fifty-one, so far as the same relates to the township of West Vincent."

Senate Bill No. 180, Entitled "An Act to amend section four of an act, entitled 'An act relating to registers and registers' courts,' approved the fifteenth day of March, one thousand eight hundred and thirty-two, providing for the appointment of an additional deputy register, and fixing the salaries of deputy registers in the counties in which separate orphans' courts are established."

Senate Bill No. 208, Entitled "An Act authorizing and regulating the taking, use and occupancy of public burial places in cities of the third class, under certain circumstances, for purposes of common school education."

Senate Bill No. 173, Entitled "An Act for the formation, incorporation and regulation of Firemen's Relief Associations."

House Bill No. 469, Entitled "An Act to amend an act approved the tenth day of April one thousand eight hundred and forty-one, entitled 'An act supplementary

to an act, entitled "An act to consolidate and amend the several acts relative to a general system of education by common schools,' passed the thirteenth day of June, one thousand eight hundred and thirty-six," and for other purposes, so as to exclude certain forms from the provisions of said act."

House Bill No. 740, Entitled "An Act to amend an act to establish a State Weather Service of this Commonwealth, for the purpose of increasing the efficiency of the United States Signal Service by disseminating more speedily and thoroughly the weather forecasts, storm and frost warnings for the benefit of the citizens of this State, and for the purpose of establishing and maintaining in each county thereof, meteorological stations for the collection of climatic data, and making an appropriation therefor, transferring to the Department of Internal Affairs the duties pertaining to the State Weather Service heretofore discharged by the Franklin Institute, and providing a further appropriation for the maintenance of said weather service."

House Bill No. 23, Entitled "An Act to provide for the publication and distribution of additional copies of the report on Birds of Pennsylvania."

House Bill No. 185, Entitled "An Act to amend the amendment approved the ninth day of May, Anno Domini one thousand eight hundred and eighty-nine, to an act, entitled 'An Act supplementary to the acts regulating hawkers and peddlers,' approved the sixteenth day of April, Anno Domini one thousand eight hundred and forty."

Senate Bill No. 125, Entitled 'An Act authorizing the sale of the real estate of decedents by persons named in the will of any testator other than an escheator."

House Bill No. 703. "A Supplement to an act, entitled 'An act to incorporate the trustees of the Theological Seminary of the Reformed Presbyterian Church

in North America,' approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six, declaring the true intent and meaning of section first of said act."

House Bill No. 558, Entitled "An act to authorize the State Treasurer to refund to Peter Maurer, one of the executors of the estate of John Maurer, late of Snyder county, deceased, the amount of the collateral inheritance tax paid to the Commonwealth over and above the real value of said estate liable for such tax."

House Bill No. 300, Entitled "An Act to protect the holders of policies of insurance issued by casualty insurance companies organized under the laws of this or any other state or government."

Senate Bill No. 42, Entitled "An Act to amend an act, entitled 'An Act to amend an act, entitled "An Act to enable the officers of dissolved corporations to convey real estate held by such corporations," authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders,' approved the twelfth day of June, one thousand eight hundred and eighty-five, authorizing the court to direct the sale of such real estate on the petition of any one or more of the shareholders or their legal representatives, whenever requested so to do."

House Bill No. 192, Entitled "An Act to amend section fifty-seven of the act approved the thirteenth day of April, Anno Domini one thousand eight hundred and eighty-seven, 'To provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' providing for the granting of commissions as brevet first lieutenants in certain cases."

Senate Bill No. 319, Entitled "An Act to authorize the State Board of Charities to formulate a system of uniform accounts to be kept by the institution owned in whole or in part by the State, or receiving aid therefrom, providing for examiners to enforce the same and

regulate appropriations thereto, and making an appropriation therefor."

House Bill No. 52, Entitled "An Act for the relief of Louis Ancker, hospital steward and sergeant, Third Regiment, National Guard of Pennsylvania."

House Bill No. 270, Entitled "An Act for the relief of David Wilson, late first sergeant of Company C, of Third Regiment of Pennsylvania Militia."

House Bill No. 151, Entitled "An Act regulating the printing and publication of notices and advertisements authorized by the county commissioners of the several counties of this Commonwealth, providing how newspapers shall be designated in which such publications shall be made."

Senate Bill No. 14, Entitled "An Act to amend the sixty third section of an act, entitled 'An Act relating to executions,' approved June sixteenth, Anno Domini one thousand eight hundred and thirty-six, providing that sheriff's sales shall be advertised in one newspaper printed in the German language."

House Bill No. 620, Entitled "An Act to reimburse Joseph B. Rohrman for amount improperly paid as collateral inheritance tax in the estate of Mary V. Heulings."

House Bill No. 845, Entitled "An Act making an appropriation for the erection and construction of a dyke or wall along the eastern bank of Shoup's run, for the protection of the lives and property of the citizens of Coalmont borough, Huntingdon county, Pennsylvania."

House Bill No. 928, Entitled "An Act making an appropriation for the payment of Felix C. Negley, of Allegheny county, for his services as Recruiting Agent of the State of Pennsylvania during the war of the Southern Rebellion."

Senate Bill No. 284, Entitled "An Act to enlarge the powers of cities of the first class, authorizing the mu-

nicipal authorities thereof to regulate by ordinance the sale of Anthracite coal, and prevent and punish frauds in the sale and delivery thereof, and to appoint inspectors of the same, and to charge a license fee upon all vehicles used in delivering coal."

House Bill No. 122, Entitled "An Act to increase the compensation of county assessors in cities of the second class."

House Bill No. 234, Entitled "An Act relating to proceedings for the recovery of possession of leased furnished rooms or portions of houses or dwellings."

Senate Bill No. 121, Entitled "An act to amend an act, entitled 'An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon,' approved April twenty-eight, Anno Domini one thousand eight hundred and eighty-seven, amending section eight, ten and fourteen of said act in relation to the reception, employment, transfer, government and discharge of prisoners, and repealing so much of section twelve of said act as provides that no petition or application for the release of any prisoner shall be entertained by the managers."

House Bill No. 143, Entitled "An Act to provide for the attendance of children in the schools of this Commonwealth, and a supervisory boards of education."

Senate Bill No. 169, Entitled "An Act to amend the tenth section of an act, entitled 'An Act to establish an insurance department,' approved the fourth day of April, Anno Domini one thousand eight hundred and seventy-three, requiring the insurance companies or associations not incorporated under the laws of this State, to pay to the firemen's relief associations organized in the cities, boroughs and townships, an annual bonus on premiums on the insurance effected within the limits of such cities, boroughs and townships, and regulating the collection thereof."

Senate Bill No. 357, Entitled "An Act to prevent deception in the manufacture and sale of articles of gilded ware, and providing penalties for the violation thereof."

Senate Bill No. 280, Entitled "An Act making an appropriation to the Charity Hospital of Montgomery county, Pennsylvania, located at Norristown."

House Bill No. 717, Entitled "An Act making an appropriation of ten thousand dollars to the Zoological Society of Philadelphia to erect additional buildings."

Senate Bill No. 270, Entitled "An Act to provide for the distribution of unbound copies of the laws of the Commonwealth of Pennsylvania, specifying when, how and to whom they shall be distributed, and providing for the expenses connected therewith, and providing penalties for enforcing the same."

House Bill No. 229, Entitled "An Act conferring upon husbands, wives and parents the right of possession of the bodies of their deceased wives, husbands and children."

Senate Bill No. 34, Entitled "An Act authorizing cities of this Commonwealth to change, alter, beautify and improve unpaved public wharves and landings."

Senate Bill No. 152, Entitled "An Act to provide for the publication of a digest of the laws of Pennsylvania by Boyd Crumrine, the State Reporter."

House Bill No. 196, Entitled "An Act supplementary to an act, entitled 'An act to provide for the incorporation and government of street railway companies in this Commonwealth,' approved May fourteenth, Anno Domini one thousand eight hundred and eighty-nine, granting to street railway companies power to cross streams."

House Bill No. 665, entitled "An Act making an appropriation to the Commissioners of Fairmount Park for the preservation and maintenance of Memorial Hall in Fairmount Park, in the city of Philadelphia."

House Bill No. 311, Entitled "An Act to amend the forty-ninth section of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved the thirtieth day of April, Anno Domini one thousand eight hundred and eighty-seven."

House Bill No. 832, Entitled "An Act making an appropriation to Grove City College towards the expenses of the military department of said college."

Senate Bill No. 89, entitled "An Act authorizing the assessment of an annual poor tax upon unnaturalized persons within this Commonwealth, providing for its collection and fixing a penalty upon employers refusing to make a return of such persons in their employ."

Senate Bill No. 307, Entitled "An Act to amend the twelfth section of an act, entitled 'An act to restrain and regulate the sale of vinous and spirituous liquors, or any admixture thereof,' approved the thirteenth day of May, Anno Domini one thousand eight hundred and eighty-seven, and providing for compensation for constables for services rendered under the provisions of said act."

House Bill No. 844, Entitled "An Act making an appropriation to the General Hospital of Beaver county."

Senate Bill No. 255, Entitled "An Act to provide for the expenses of the care and treatment of the indigent chronic insane in the county or city almshouses, and making an appropriation therefor."

House Bill No. 615, Entitled "An Act making an appropriation to the Bethesda Home."

House Bill No. 646, Entitled "An Act making an appropriation to St. Joseph's Society for the Prevention of Cruelty to Children and Aged Persons."

House Bill No. 654, Entitled "An Act making an appropriation to the Memorial Hospital and House of

Mercy of St. Timothy's church, Roxborough, city of Philadelphia, State of Pennsylvania."

House Bill No. 657, entitled "An Act making an appropriation to the Allegheny County Association for the Prevention of Cruelty to Children and Aged Persons."

House Bill No. 711, Entitled "An Act making an appropriation to Kensington Hospital for Women."

House Bill No. 789, Entitled "An Act making an appropriation to the Penn Asylum for Indigent Widows and Single Women situated on Belgrade Street, above Susquehanna Avenue, Philadelphia."

House Bill No. 742, Entitled "An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into Representative districts as provided in the Constitution."

House Bill No. 878, Entitled "An Act to organize and define the Congressional districts of Pennsylvania."

House Bill No. 498, Entitled "An Act relating to the establishment of a separate orphans' court in and for the county of Lancaster."

House Bill No. 208, Entitled "An Act to designate the several judicial districts of the Commonwealth as required by the Constitution."

Senate Bill No. 63, Entitled "An Act relating to street passenger railway companies, providing for a sale or lese of their property and franchise to motor power companies, and for their contracting for the construction of motors, cables, electric apparatus and appliances, and providing for the validating of sales, leases and contracts heretofore made."

Also certain items in the following House bills, viz:

House Bill No. 177, Entitled "An Act to provide for the ordinary expenses of the Executive, Judicial and

Legislative departments of the Commonwealth, interest on the public debt, and for the support of the Public Schools, for the years Anno Domini one thousand eight hundred and ninety-one, and one thousand eight hundred and ninety-two."

House Bill No. 716, Entitled "An Act making an appropriation for the protection and propagation of fish."

House Bill No. 632, Entitled "An Act making an appropriation to the Medical and Surgical Department of the Western Pennsylvania Hospital at Pittsburgh."

House Bill No. 599, Entitled "An Act making an appropriation for the State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania."

House Bill No. 700, Entitled "An Act making an appropriation to the Gynecean Hospital in the city of Philadelphia."

House Bill No. 653, Entitled "An Act making an appropriation to the Medico-Chirurgical Hospital of the City of Philadelphia."

House Bill No. 634, Entitled "An Act making an appropriation to the Lackawanna Hospital in the City of Scranton."

House Bill No. 629, entitled "An Act making an appropriation to the Women's Homoeopathic Association of Pennsylvania."

Given under my hand and the Great Seal of the State, at the city of Harrisburg, this twenty-fifth day of June, in the year of our Lord one thousand eight hundred and ninety-one, and of the Commonwealth the one hundred and fifteenth.

ROBT. E. PATTISON.

By the Governor:

Wm. F. Harrity,

Secretary of the Commonwealth.

Proclamation of an Extra Session of the Senate to Consider Charges Affecting the Conduct of the Auditor General and the State Treasurer."

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, The Constitution provides in Article VI, Section 4, that "All officers elected by the people, except Governor, Lieutenant Governor, members of the General Assembly and Judges of the Courts of Record learned in the law, shall be removed by the Governor for reasonable cause, after due notice and full hearing, on the address of two-thirds of the Senate."

Whereas, Grave charges have been preferred, involving the Auditor General and State Treasurer, and most seriously reflecting upon the manner in which their official duties have been performed.

Whereas, It is proper that diligent inquiry should be made to ascertain whether or not "reasonable cause" does exist for their removal.

Whereas, There is in the public mind a profound conviction that the officials referred to and some of their subordinates have been grossly inefficient, shamefully negligent and entirely wanting in due fidelity.

Whereas, It is the prevailing opinion that some of the officials connected with these offices have been guilty of absolute faithlessness and downright dishonesty, in violation of their oaths of office and of the criminal laws of the Commonwealth.

Whereas, If any one of the charges so made should be established, appropriate action looking to the removal of the officials involved should be taken by the Senate of the Commonwealth of Pennsylvania, as a duty to the people of the State, whose good name has

been dishonored and whose money has been stolen, squandered and lost.

Whereas, John Bardsley, late Treasurer of the City and County of Philadelphia, is now a convict in the Eastern Penitentiary for embezzlement and misuse of public moneys, a large portion of which would have been in the State Treasury long prior to an exposure of his transactions, had those charged with the administration of the duties of Auditor General and State Treasurer performed them with due fidelity.

Whereas, John Bardsley's stubborn refusal to disclose any information whatever, as to the conduct of these officials, has compelled the abandonment of proposed criminal prosecution at least for a time.

Whereas, A proper inquiry by the Senate may develop evidence sufficient to satisfy its members that "reasonable cause" exists for the removal of the Auditor General and State Treasurer.

And Whereas, Under the Constitution the duty and responsibility of making diligent inquiry and of taking appropriate action in the premises are devolved upon the Senate and the power vested in the Executive to give the Senate the opportunity to act.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, in the discharge of what I conceive to be my duty to "take care that the laws be faithfully executed," and by virtue of the power vested in me by the Constitution "to convene the Senate in extraordinary session by proclamation for the transaction of Executive business," hereby convene the Senate of the Commonwealth of Pennsylvania in extraordinary session, on Tuesday the thirteenth day of October, Anno Domini one thousand eight hundred and ninety-one.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this twenty-sixth day of September, in the year of our Lord one thousand eight hundred and ninety-one, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Proclamation of an Extra Session to Consider Certain Charges Affecting the Conduct of Several Magistrates and Constables in the City of Philadelphia.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, It is alleged and believed that many of the Magistrates of Courts, not of record, of Police and Civil causes, in Philadelphia, have been faithless and dishonest in the performance of their official duties;

Whereas, It is further alleged and believed that many of the said Magistrates, together with the Constables attached to their Courts, have been participants in a conspiracy to cheat and defraud the Commonwealth of Pennsylvania in connection with the collection of Delinquent Mercantile License Taxes in the City and County of Philadelphia, by which large sums of money have been lost to the Commonwealth;

Whereas, It is also alleged and believed that many

of said Magistrates and Constables have been guilty of Bribery, by the payment of money to John Bardsley, late Treasurer of the City and County of Philadelphia, in order to influence the official action of the said John Bardsley and others, for the purpose of obtaining control and jurisdiction of the suits against Delinquent Dealers in Philadelphia, it being alleged and believed that the sum of $350.00 was paid by each Magistrate before whom such suits were brought in the year 1889 and in the year 1890 to the said John Bardsley, for the personal and private gain of himself and others.

Whereas, In the year 1889, the sum of $31,811.85 was paid to Israel W. Durham, Horatio B. Hackett, William H. List, James F. Neall, Johnson Roney, Benton O. Severn, Robert R. Smith, Thomas W. South, and John J. Thompson, Magistrates of Philadelphia, as Magistrates' and Constables' costs in suits against Delinquent Dealers in Philadelphia, from which suits no collections whatever were made for the use of the Commonwealth; and in the year 1890, the sum of $31,194.20 was paid to William B. Ahern, Israel W. Durham; Horatio B. Hackett, James F. Neall, Ambrose P. Pullinger, Thomas Randall, Johnson Roney, Robert R. Smith and Thomas W. South, Magistrates of Philadelphia, as Magistrates' and Constables' costs in suits against Delinquent Dealers in Philadelphia, from which suits no collections whatever were made for the use of the Commonwealth;

Whereas, A thorough and careful inquiry by the Senate may establish that "reasonable cause" exists for the removal of many of said Magistrates and Constables, said officials falling within the operation of Article VI, Section 4, of the Constitution which provides that "All officers elected by the people, except Governor, Lieutenant Governor, members of the General Assembly and Judges of the Courts of Record,

learned in the law, shall be removed by the Governor for reasonable cause, after due notice and full hearing, on the address of two-thirds of the Senate;"

Now, Therefore, I ROBERT E. PATTISON, Governor of the said Commonwealth of Pennsylvania, having already convened the Senate of the Commonwealth of Pennsylvania to meet in extraordinary session on Tuesday, the thirteenth day of October, Anno Domini one thousand eight hundred and ninety-one, for the purpose of inquiring whether there is "reasonable cause" for the removal of the Auditor General and State Treasurer, do also convene the said Senate of the Commonwealth of Pennsylvania to meet as aforesaid for the additional purpose of considering whether "reasonable cause exists" for the removal of any of the Magistrates and Constables of Philadelphia.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this twelfth day of October, in the year of our Lord one thousand eight hundred and ninety-one, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON,
Governor of Pennsylvania.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Proclamation Announcing the World's Columbian Exposition at Chicago and Commending it to the People of the Commonwealth."

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, The Congress of the United States has provided for the celebration of the four hundredth anniversary of the discovery of America by the holding of a great International Fair under the name and style of the World's Columbian Exposition, in the city of Chicago, State of Illinois, which is to be formally dedicated on the twelfth day of October A. D. 1892, and regularly opened to the public on the first day of May, A. D. 1893, and to continue open for the period of six months;

And Whereas, In obedience to the President's proclamation, it is expected that every state in the Union and the people of every state shall contribute their due share to the success of said exhibition, to the end that it may redound to the honor of the Nation and advance its general welfare;

And Whereas, The Commonwealth of Pennsylvania is specially bound, in remembrance of the generous disposition that was displayed by her sister states and many of their citizens, in her behalf and that of her principal city, when the Centennial of our National Independence was celebrated in Philadelphia, in the year A. D. 1876, to do her utmost part toward making said Exposition what every true American must desire that it should be;

Now, Therefore, I ROBERT E. PATTISON, Governor of said Commonwealth, in response to the patriotic sentiment that has always characterized her peo-

ple, and in accord with the laudable motive which prompted the last General Assembly to make provision "for the collection, arrangement and display of the products of the State" at the World's Columbian Exposition, do hereby issue this, my proclamation, calling upon the citizens thereof, without distinction of race, creed or sex, to prepare for furnishing their full proportion to the interest, value and financial prosperity of said Exposition; and I do particularly request all railroads and transportation companies, all mining, manufacturing, shipbuilding and other industrial firms and corporations, all operators in and producers of natural oils and gases, all agricultural, horticultural, floricultural, botanical, geological and similar associations; all churches, schools, seminaries, colleges and universities; all historical archoelogical, religious, literary and library societies; all fine art galleries, museums and places of public instruction and amusement; all editors, publishers, printers and book-binders; all ministers, physicians and attorneys; all banks, bankers and capitalists; all painters, sculptors, architects, designers, decorators and photographers; all who produce superior butter, cheese, grain, fruit, flowers, vines, vegetables, etc.; all inventors and skilled artisans; all trades unions and commercial organizations; all who possess articles of beauty, novelty, rarity or striking merit; all state, county and municipal officers; all trusts and insurance companies; and all persons in every avenue of life who may have something in their respective lines to present that is worthy of public notice and consideration, to lend their assistance in making the exhibit one that will be a source of pride to every Pennsylvanian, and a revelation to the world of the enterprise, progress and unrivalled resources of the State.

And I do further request all citizens who may wish to take part in said Exposition to communicate at an

early date with Benjamin Whitman, Executive Commissioner of the Board of World's Fair Managers of Pennsylvania, at his office in the city of Harrisburg, in order that he may be enabled to learn their views and purposes on the subject, and to aid in making such arrangement as to space and location as will secure the best results.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this Ninth day of November, in the year of our Lord one thousand eight hundred and ninety-one, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Proclamation of a Day of Thanksgiving. 1891.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Devout gratuitude to the Almighty Being whose blessings have been so conspicuously dispensed in the past and whose guardianship and guidance we earnestly implore for the future make it fitting and proper that a people so favored should pause amidst the enjoyment of prosperity to gratefully acknowledge and return thanks to the Divine Author of their blessings.

Now, Therefore, I, ROBERT E. PATTISON, Governor of Pennsylvania, do recommend Thursday, the twenty-sixth day of November, in the year of our Lord,

one thousand eight hundred and ninety-one as a day of Thanksgiving and Prayer.

On that day let all secular business be suspended and let the people assemble in their usual places of worship, and with prayer and songs of praise devoutly testify their gratitude for his goodness and His wonderful works, and for all that He has done for us in the year that has passed, for our marvelous exemption from calamity, for our security against the pestilence that walketh in darkness and the destruction that wasteth at noonday, for that health which to an unusual extent has prevailed within our borders, for the bountiful harvests which have rewarded the labors of the husbandman and contributed to the substantial wealth of the State, for the contentment which follows quiet and plenty, and for the signs of prosperity which are manifest on every hand.

And let there also be on this day thus set apart a reunion of families and freinds, that the affection for home may be strengthened and the spirit of good will increased.

Being enriched in everything to all bountifulness let us not forget to crown the day with deeds of Charity and kind remembrance of the poor and so make our thanksgiving more acceptable in the sight of the Lord.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this fourteenth day of November, in the year of our Lord one thousand eight hundred and ninety-one, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Proclamation of the Rejection of a Proposed Constitutional Convention with Enumeration of the Votes for Delegates Thereto. 1891.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, In and by the seventh clause of the fourth section of an Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An Act to provide for a convention to amend the Constitution, and the election of Delegates thereto," approved the nineteenth day of June, Anno Domini one thousand eight hundred and ninety-one, it is provided that "The Secretary of the Commonwealth shall, as soon as the returns of said election shall be received by him, and at all events within fifteen days after the election, in the presence of the Governor and Secretary of the Commonwealth, open and compute all the returns received of votes given at the said election for or against the convention, and for members of the convention, and the Governor shall forthwith issue his proclamation; if a majority of the said votes as declared shall be in favor of a convention, announcing same and declaring the names of the persons chosen members of the convention."

And Whereas, The returns of the election, held on Tuesday the third day of November, A. D. 1891, for and against the Convention and for Delegates thereto, have been received by the Secretary of the Commonwealth, and by him presented to me, on Tuesday, the seventeenth day of November, A. D. 1891, and in my presence and in the presence of the said Secretary of the Commonwealth, were opened and computed as provided in the above recited Act. And it appears from the re-

sults as ascertained and certified in accordance with the said Act that one hundred and seventy-three thousand eight hundred and thirteen votes were given for a Constitutional Convention, and Four hundred and twenty thousand five hundred and ninety-eight votes were given against a Constitutional Convention.

And Whereas, It also appears from the returns so laid before me by the Secretary of the Commonwealth, of the election held on Tuesday, the third day of November, Anno Domini one thousand eight hundred and ninety-one, that Frank Reeder, Cyrus Elder, John Cessna, T. V. Powderly, A. S. L. Shields, John Roberts, Isaiah C. Wears, Herman Kreimer, William I. Schaffer, Louis W. Hall, Henry M. Edwards, Henry C. Mccormick, George S. Schmidt, Joseph N. Pomeroy, John S. Lambie, William B. Rodgers, James C. Brown, Morris L. Kauffman, Robert E. Monaghan, Henry W. Scott, Willaim Weihe, Chauncey F. Black, Samuel G. Thompson, Charles R. Buckalew, Roger Sherman, Grant Weidman and R. Morgan Root are the twenty-seven persons who received the greatest number of votes given at the said election for Delegates in the State at large.

And Whereas, It also appears from the returns so laid before me by the Secretary of the Commonwealth, of the election held on Tuesday, the third day of November, A. D. 1891, that the following persons received the greatest number of votes given at the said election for District Delegates to the said Constitutional Convention from the several Senatorial Districts of the Commonwealth, to-wit:

First Senatorial District, James A. Wright, E. A. Anderson, Otto Wolff.

Second Senatorial District, James B. Anderson, John M. Campbell, James D. Lee.

Third Senatorial District, John S. McKinley, Mayer Sultzberger, John J. Moloney.

Fourth Senatorial District, Josephus Yeakel, M. Hampton Todd, Charles Chauncey Binney, Jr.

Fifth Senatorial District, Samuel E. Cavin, H. J. Deily, Adolph Eichholz.

Sixth Senatorial District, Bois Penrose, Alex. P. Colesberry, Ovid F. Johnston.

Seventh Senatorial District, James L. Miles, George W. Hall, John H. Sloan.

Eighth Senatorial District, George S. Clark, John Shallcross, Frank Pierce Buckley.

Ninth Senatorial District, George E. Darlington, Joseph H. Huddell, Hiram Hathaway, Jr.

Tenth Senatorial District, Nathan C. James, John C. Stucker, Henry Lear.

Eleventh Senatorial District, A. S. Sassaman, A. F. Mogel, Edward M. Luden.

Twelfth Senatorial District, Miller D. Evans, N. H. Larzelere, John Todd.

Thirteenth Senatorial District, B. Frank Eshelman, James Wood, George Nauman.

Fourteenth Senatorial District, Esaias Billingfelt, Joseph W. Yocum, William B. Given.

Fifteenth Senatorial District, Andrew J. Herr, Marlin E. Olmsted, Benjamin M. Nead.

Sixteenth Senatorial District, Daniel H. Creitz, Evan Holben, James B. Deshler.

Seventeenth Senatorial District, George B. Schock, Jacob G. Adams, William Gossert.

Eighteenth Senatorial District, Henry J. Steele, William C. Loos, Orrin Serfass.

Nineteenth Senatorial District, John J. Pinkerton, William T. Fulton, Horace Walters.

Twentieth Senatorial District, George W. Beale, Daniel J. Campbell, T. P. Hoban.

Twenty-first Senatorial District, Edward Miles, John D. Hayes, J. B. Woodward.

Twenty-second Senatorial District, Edward L. Jenkins, John A. Quinn, David S. Lee.

Twenty third Senatorial District, Edwin J. Jordan, Eli B. Parsons, D. C. DeWitt.

Twenty-fourth Senatorial District, James Scarlet, Edward Cornman, Andrew L. Fritz.

Twenty-fifth Senatorial District, Arthur B. Mann, E. R. Mays, W. S. Brown.

Twenty-sixth Senatorial District, David C. Ainey, Oscar Lathrope, William M. Nelson.

Twenty seventh Senatorial District, A. W. Potter, Chas. B. Witner, Chas. H. Dickerman.

Twenty-eighth Senatorial District, George W. Heiges, William H. Miller, Richard E. Cochran.

Twenty ninth Senatorial District, P. M. Dunn, Robert Allison, S. Baird Edwards.

Thirtieth Senatorial District, James J. Franey, Jno. O. Ulrich, John J. Coyle.

Thirty-first Senatorial District, William M. Allison, George E. Beaver, G. Howard Macklin.

Thirty-second Senatorial District, George J. Benner, E. J. McCune, William Trichett.

Thirty-third Senatorial District, Geo. B. Orlady, Jacob Pensreiger, Geo. M. Stenger.

Thirty-fourth Senatorial District, William Bigler, Ellis L. Orvis, William C. Kress.

Thirty-fifth Senatorial District, Caleb Geyer, George M. Reade, Augustus V. Dively.

Thirty-sixth Senatorial District, John H. Jordan, John R. Scott, Edward F. Kerr.

Thirty-seventh Senatorial District, W. L. Stewart, D. E. Breneman, R. M. Watson.

Thirty-eighth Senatorial District, Jefferson L. Brown, David P. Baird, Joseph H. Patrick.

Thirty-ninth Senatorial District, John Y. Woods, Vincent E. Williamson, William F. Gallagher.

Fortieth Senatorial District, T. H. Sharpneck, Henry Galley, Isaac S. Stentz.

Forty-first Senatorial District, Porter W. Lowry, Mervin F. Leason, Leo. McQuiston.

Forty-second Senatorial District, T. H. B. Pattison, David B. Oliver, Abraham Faust.

Forty-third Senatorial District, Christopher L. Magee, Charles H. McKee, S. A. Duncan.

Forty-fourth Senatorial District, Robert J. Black, John D. Shafer, David Smith.

Forty-fifth Senatorial District, Alexander Gifellan, George L. Coke, George Burnes.

Forty-sixth Senatorial District, Boyd Crumrine, G. L. Eberhart, Thomas H. Baird.

Forty-seventh Senatorial District, Malcolm McConnell, A. W. Williams, J. J. Alexander.

Forty-eighth Senatorial District, Geo. S. Criswell, Perry D. Clark, D. I. Ball.

Forty-ninth Senatorial District, S. A. Davenport, C. Geo. Olmstead, Thomas O. Marshall.

Fiftieth Senatorial District, James H. Caldwell, Julius Byles, Hiram L. Richmond.

Now Therefore, Know Ye That I, ROBERT E. PATTISON, Governor aforesaid, do issue this my Proclamation declaring that a majority of the votes cast were against the holding of a Constitutional Convention and that the aforementioned persons were duly returned as having been elected as Delegates at Large and District Delegates, to the aforesaid Constitutional Convention.

Given under my hand and the Great Seal of the State, at Harrisburg, this fourteenth day of December, in the year of our Lord one thousand eight hundred and ninety-one, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:
Wm. F. Harrity,
Secretary of the Commonwealth.

Proclamation of the Election of John W. Morrison as State Treasurer, and David McMurtrie Gregg as Auditor General.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, An act of the General Assembly of this Commonwealth, entitled "An Act to provide for the receiving, opening and publishing of the returns of the election for State Treasurer and of Auditor General, when elected at the same election," approved the ninth day of May, Anno Domini one thousand eight hundred and ninety-nine, provides, "That whenever the Legislature shall not be assembled, and a State Treasurer, or Auditor General, shall have been elected at the preceding Annual election, the Governor, the President Judge of the Twelfth judicial district, the President pro tempore of the Senate, the Speaker of the House of Representatives, Four members of the Senate and six members of the House of Representatives shall meet in the Senate Chamber, at Harrisburg, at

twelve o'clock noon, on the Third Tuesday of January succeeding each election of State Treasurer or Auditor General, and they or a majority of them, being so convened, shall proceed to open, compute and publish the returns of the election for State Treasurer and Auditor General, and shall file in the office of the Secretary of the Commonwealth a certificate, signed by each of them setting forth the aggregate number of votes received by each person voted for at such election: The Governor shall within ten days thereafter declare by proclamation the name of the person elected to each of said offices.

And Whereas, The persons composing the Commission to open, compute and publish the returns of the late General election for State Treasurer and Auditor General have filed in the office of the Secretary of the Commonwealth, the certificate provided for in the above recited Act of the General Assembly, showing that John W. Morrison received the greatest number of votes of the persons voted for at said election to fill the office of State Treasurer; and David McMurtrie Gregg received the greatest number of votes of the persons voted for at said election to fill the office of Auditor General.

Now Therefore, I, ROBERT E. PATTISON, Governor as aforesaid, in conformity with the provisions of the aforesaid Act of the General Assembly, do issue this my Proclamation hereby declaring that John W. Morrison was elected to the office of State Treasurer and David McMurtrie Gregg was elected to the office of Auditor General, at the general election held on the third day of November, Anno Domini one thousand eight hundred and ninety-one, they having received the highest number of votes of the persons voted for to fill the said offices of State Treasurer and Auditor General at said election

Given under my hand and the Great Seal of the State at Harrisburg, this twenty-fifth day of January, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Proclamation Concerning the Famine in Russia.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, Information has been brought to the attention of the Executive that the famine now prevailing among the peasantry of Russia is so widespread as to embrace fourteen great provinces, with a population of from twenty million to twenty five million of people, multitudes of whom must perish unless promptly relieved;

And Whereas, It has been finally determined that the Congress of the United States is not prepared to appropriate money for the transportation of supplies, so that the question of relief is left to the generous impulses of the people of the different States;

And Whereas, The people of Pennsylvania, in their recent experience of a great calamity, were the subjects of generous philanthropy from every quarter of the civilized world.

And Whereas, During the year just closed they have been blessed with abundance and prosperity;

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, in answer to the appeal from the organized agency for relief to the sufferers in Russia, do hereby issue this, my proclamation, recommending to the citizens of Pennsylvania a prompt response to this appeal and generous contributions for the cause in which it is put forth.

And I do further request and direct all citizens societies, committees and agencies desiring to aid in this work to put themselves into communication with the Russian Famine Relief Committee of the United States at No. 732 Fourteenth street, Washington, D. C., which is acting in full harmony with the American National Red Cross Association, and which association have arranged for the prompt and expeditious transportation to the afflicted districts of Russia, and for the systematic and judicious distribution among the sufferers, of all grain and other supplies which may be received.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this first day of February, in the year of our Lord one thousand eight hundred and ninety-two and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Second Proclamation with Regard to the Famine in Russia.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, By a Proclamation issued to the people of the Commonwealth of Pennsylvania on February 1st, 1892, I invited and urged them to make contributions for the relief of the sufferers from famine in Russia, and suggested that such contributions should be sent to the Russia Famine Relief Committee of the United States at No. 732 Fourteenth Street, Washington, D. C.

And Whereas, Since the said Proclamation was issued, an organization in the same behalf has been effected by the charitable and philanthropic citizens of Philadelphia, and free and quick transportation to that port and from there to Russia has been secured.

Now Therefore, I do proclaim to the people of Pennsylvania, and especially to such as may be willing to contribute to the relief of the suffering millions in Russia, to societies, committees and agencies organized to aid this work, that contributions for that purpose, in money, may be sent to Drexel & Co., of Philadelphia, and contributions in grain, and other food supplies may be forwarded to the American Steamship "Indiana," which will sail from Philadelphia on February 20th, 1892, to carry all such provisions for the suffering people of the Russian Empire. All articles contributed for this purpose should be marked "For Russian Famine Relief."

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this eleventh day of February, in the year of our Lord, one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Proclamation with Reference to the Death of Adjutant General McClelland.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

With profound regret I make public announcement of the fact that

WILLIAM McCLELLAND,

Adjutant General of the Commonwealth of Pennsylvania, died in the City of Harrisburg, on Sunday, February 7th, A. D. 1892, at 4.45 o'clock P. M.

Dying in the fiftieth year of his life and in the prime and vigor of manhood, he had been useful and eminent in the public service during almost the full period of a generation.

Born in what is now Lawrence County, Pennsylvania, March 2nd, 1842, he had neither attained his majority nor finished his education when he heard and answered the call of his Country for defenders of its assailed integrity and honor. He entered the Army at the outbreak of hostilities, and he remained in it until the close of the War for the Union. Enlisting as

a private, he rose to be Captain in the Artillery; his Battery was engaged in many serious battles, and he himself bore a conspicuous part in the brilliant achievments which made it historic. He was an eminent and honored member of the great organizations formed to perpetuate the memories of the War and composed of its survivors.

In civil life he attained high distinction. He was elected to Congress from a district controlled by a large adverse political majority, and he served his constituents with the intelligence, honesty, patriotism and fidelity which characterized his whole public and private life.

As an honored and trusted member of the legal profession; identified for many years with the State organization of one of the great political parties of Pennsylvania; and serving at various times in civil positions of honor and responsibility, he was always distinguished for the industry and zeal and conscientious care and diligence, the courtesy and forbearance which he brought to the performance of every duty assigned to or undertaken by him.

By early appointment he was made a part of the Commission to organize and direct the Columbian Exposition of 1893; and as a member also of the body especially charged with the representation of Pennsylvania in that World's Fair, he had already rendered valuable and efficient service.

He was appointed Adjutant General, January 20th, 1891, and had barely filled the first year of his official term. Early in his experience he was charged with unusual duties by the extraordinary situation growing out of the riotous conditions in the Coke Regions; he met and mastered them in a manner alike creditable to himself and advantageous to the State. He confronted an armed conflict between Capital and Labor; he exercised military authority, established order and

quelled disturbance without shedding a drop of blood or expending a single charge of ammunition. In his ready grasp and faithful execution of the details of his office, in his appreciation of the needs of the National Guard and his efforts to promote its efficiency, and in his management of the troops in Camp, he proved himself a capable soldier and official.

In his private life he practiced and exemplified the domestic virtues which most irradiate character and the story of which is the best legacy civilian or soldier can leave to his generation and his Commonwealth. These high qualities enable him to meet death with the courage of the Soldier and the composure of the Christian; and he died as he had lived, the brave captain and stainless citizen.

His funeral will be held at Pittsburgh, on Wednesday, the 10th instant. Orders providing for an escort and other details have been issued from the office of the Adjutant General.

In consideration of his eminent and long continued public service, of his high character and of his official position, it is ordered that the flags upon the Public Buildings be displayed at half staff upon the day of the funeral, and that the several Departments of the State Government within Executive Control be closed upon that day.

Given under my hand and the Great Seal of the State, at the City of Harburg, this eighth day of February, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Arbor Day Proclamation. 1892.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania.

A PROCLAMATION.

The beneficent effects consequent upon a due observance of "Arbor Day" have been witnessed, with interest and pleasure, by the citizens of Pennsylvania. The planting and culture of trees and flowers cannot be too highly commended, nor its great importance too early impressed upon the youthful mind. Considered from a sanitary, intellectual, aesthetic and financial point of view, it should be encouraged by every citizen who has an abiding interest in the future welfare of the Commonwealth.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, in accordance with custom, which has received the official sanction of our General Assembly, whereby the Governor is requested to appoint annually a day to be designated as Arbor Day in Pennsylvania, and to recommend by proclamation to the people, on the days named, the planting of trees and shrubbery in the public school grounds and along the public highways throughout the State, do hereby designate and proclaim Thursday, the 14th day of April, A. D. 1892, and Friday, the 6th day of May, A. D. 1892, to be observed as Arbor Days in Pennsylvania.

The selection of either of the above designated days is left to the discretion of the people in the various sections of the Commonwealth, each locality observing that day which deemed to be most favorable on account of climatic conditions.

I call upon the people to lay aside for a season the habitual activities of the day and devote sufficient time thereof to plant a forest, fruit or ornamental tree along the public highways and streams, in private and public parks, about the Public School House and on the College Grounds, in gardens and on the Farms—thus promoting the pleasure, profit and prosperity of the people of the State, providing protection against floods and storms, securing health and comfort, increasing that which is beautiful and pleasing to the eye, comforting to physical life and elevating to the mind and heart.

"Gifts that grow are best,
Hands that bless are blest,
Plant—Life does the rest;
Heaven and Earth helps him who plants a tree,
And his work its own reward shall be."

Given under my hand and the Great Seal of the State, this twenty-sixth day of March, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:
Wm. F. Harrity,
Secretary of the Commonwealth.

Proclamation Recommending Measures of Relief for the Sufferers from a Disaster at Titusville and Oil City."

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania.

A PROCLAMATION.

Whereas, The people of Titusville and Oil City and adjacent portions of the oil regions have been visited by a terrible calamity from water and fire, carrying destruction to life and property, and leaving homeless and destitute hundreds of our fellow citizens;

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, do hereby issue this my proclamation, recommending to the citizens of Pennsylvania prompt action for the relief of their fellow-citizens, and I do further request and direct all citizens, Societies, Committees and Agencies desiring to aid in this work, to put themselves in communication with the authorities of Titusville and Oil City.

Given under my hand and the Great Seal of the State, this sixth day of June, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and sixteenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Proclamation Designating the Four Hundredth Anniversary of the Discovery of America by Columbus, as a Legal Holiday.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, In accordance with the Joint Resolution of

the Senate and House of Representatives of the United States of America, the President of the United States, by proclamation, has appointed Friday, October the 12th, 1892, the four hundredth anniversary of the discovery of America by Columbus, as a general holiday for the people of the United States.

And Whereas, The President has recommended that the people on that day, as far as possible, cease from toil, and devote themselves to such exercises as may best express honor to the Discoverer, and their appreciation of the great achievements of the four completed centuries of American life.

And Whereas, The Commonwealth of Pennsylvania has a special interest in this anniversary by reason of the magnificent progress made by the people of the State during the centuries since the discovery.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the State of Pennsylvania, do recommend Friday, the 12th day of October, in the year of our Lord one thousand eight hundred and ninety-two, as a general holiday. On that day in the school house, in the Church and other places of assembly of the people, let there be appropriate service, teaching loyalty to our Country, and gratitude for the Divine benediction which has so abundantly blessed our people.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this third day of September, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Proclamation Recommending the Adoption of All Measures of Defence Throughout the State Against a Threatened Epidemic of Asiatic Cholera.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, Asiatic Cholera is known to prevail in a virulent form in many ports and countries with which this country is in constant communication;

And Whereas, The President of the United States has considered it expedient to issue a proclamation declaring quarantine against this disease;

And Whereas, The State Board of Health of this Commonwealth has, in view of the facts above rehearsed, issued the following circulars and orders, to-wit:

"A circular of instructions to all Health Officers, Boards of Health and Borough Councils, urging that unusual vigilance be exercised in carrying out all measures of sanitary precaution as set forth in circular No. 7 of said Board, entitled "Precautions against Cholera, Cholera Morbus, etc."

A notice to all officers of Transportation Companies, whether by land or water, to the effect that if such companies introduce Cholera into the State they will be declared contraband of quarantine, and their conveyances subject to detention at the State line and inspection by an inspector of the Board.

A circular of instructions to officers and employes of railroad and navigation Companies, indicating certain additional precautions necessary to be adopted in order to mainatin their road ways, water ways, conveyances and stations in a condition of cleanliness and purity;

and an order declaring a quarantine of twenty days of all vessels coming from infected ports, at all ports of entry in this Commonwealth;

And Whereas, The Local Boards of Health and Municipal Authorities of many cities and boroughs have issued circulars of information and adopted stringent rules and regulations for placing their respective towns in the best possible sanitary conditions;

And Whereas, The history of all epidemics of this disease, and the accurate knowledge now possessed of the habits and mode of propagation of the germ which causes it, render it absolutely certain that it cannot become epidemic in a community in which the laws of personal hygiene and scrupulous cleanliness of habitations, premises, streets and neighborhoods are carefully observed and enforced.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the State of Pennsylvania, do recommend to all authorities charged by law with the protection of the health and lives of their respective communities, whether Boards or Bureaus of Health, Health Officers, Health Commissioners or Borough Councils, the utmost promptness and energy in placing their towns in a State of sanitary defence in accordance with the instructions of the State Board of Health and to the citizens of such towns that they not only yield cheerful obedience to the orders of such authorities, but lend their active aid in enforcing the same.

To the residents of the villages and townships which are not provided by law with Health Authorities, that they voluntarily unite in appointing Sanitary Committees, composed of the most influential and intelligent members of the community charged with the duty of making inspections, removing accumulations of filth, providing depots of disinfectants, and other known ways, promoting sanitary conditions.

To physicians and others concerned in attendance

on the sick, that they at once report any suspicious case of which they may have knowledge to the Local Authorities or to the State Board of Health, without attempt at concealment, which is the surest means of spreading contagion; and to all Transportation Companies, that they at once comply with the instructions of the State Board of Health.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this fifth day of September, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Proclamation of the Election of Electors of a President and Vice President. 1892.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, In and by an act of the General Assembly, entitled "An act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, it is made the duty of the Secretary of the Common-

wealth, on receiving the returns of the election of the electors of President and Vice President of the United States, to lay them before the Governor, who shall enumerate and ascertain the number of votes given for each person voted for, and shall thereupon declare by proclamation the names of the persons duly elected.

And Whereas, It appears from the returns, so laid before me, by the Secretary of the Commonwealth, of the election held on Tuesday, the eighth day of November, Anno Domini one thousand eight hundred and ninety-two, that Benjamin F. Jones, William Wood, W. Henry Sayer, J. Francis Dunlap, John L. Lawson, John Mundell, John Hunter, Alexander Crow, Jr., Charles B. Siner, Maxwell Clower, William N. Grundy, Triatt Green, James K. Mosser, J. M. W. Geist, Henry A. Knapp, William J. Harvey, James Muir, John H. Sheibley, Coe Durland, Pierce A. Stebbins, Lloyd T. Rohrbach, S. S. Schoch, J. Schall Wilhelm, Louis J. McGregor, James B. Lause, Robert Pitcairn, James N. Lindsay, Thomas L. Lincoln, Sylvester D. Bett, Matthew H. Taylor, Charles F. Barclay, Jesse E. Dale, received the greatest number of votes of the persons voted for as Electors of President and Vice President of the United States.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth in obedience to the requirements of the aforesaid act of the General Assembly, do issue this, my proclamation, hereby publishing and declaring that the said Benjamin F. Jones, William Wood, W. Henry Sayer, J. Francis Dunlap, John L. Lawson, John Mundell, John Hunter, Alexander Crow, Jr., Charles B. Siner, Maxwell Clover, William N. Grundy, Triatt Green, James K. Mosser, J. M. W. Geist, Henry A. Knapp, William J. Harvey, James Muir, John H. Sheibley, Coe Durland, Pierce A. Stebbins, Lloyd T. Rohrbach, S. S. Schoch, J. Schall Wilhelm, Louis J. McGregor, James B. Lause, Robert Pit-

cairn, James H. Lindsay, Thomas L. Lincoln, Sylvester D. Bell, Matthew H. Taylor, Charles F. Barclay, Jesse E. Dale, are the persons duly elected Electors of President and Vice President of the United States, to meet at the seat of government of this Commonwealth (being in the city of Harrisburg) on the 2nd Monday of January, Anno Domini one thousand eight hundred and ninety-three, being the ninth day of said month, agreeably to the Laws of this Commonwealth and of the United States and then and there to vote for President and Vice President of the United States, and to perform such other duties as devolve upon them under the Constitution and Laws of the United States.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this Twenty-second day of November, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Proclamation of a Day of Thanksgiving. 1892.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Profound gratitude to the Divine Author of all good,

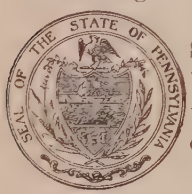
whose blessings have been so abundantly bestowed in the past and whose benediction we fervently invoke for the future, makes it fitting and right that the people should pause from their accustomed toil and pleasures to make acknowledgment of their dependence upon that Almighty Being from whom all blessings flow.

In conformity, therefore, with the recommendation of the President of the United States, I, ROBERT E. PATTISON, Governor of the Commonwealth of Pennsylvania, do appoint

Thursday, the twenty-fourth day of November,

as a day of Thanksgiving and prayer.

On that day let the people lay aside all secular occupations and meet together in their usual places of worship, in reverent thanksgiving for mercies received and prayer for a continuation of Divine favor. By the re-union of families and friends promote that love for home which secures contentment and prosperity, and above all, in kind remembrance of the poor, put on Charity which is the bond of perfectness, and so render our thanksgiving more pleasing to the Lord.



Given under my hand and the Great Seal of the State, at the City of Harburg, this fifth day of November, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Proclamation of the Election of Representatives of Pennsylvania in the United States Congress 1892.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, In and by an Act of the General Assembly, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, it is made the duty of the Governor on receipt of the returns of the election of members of the House of Representatives of the United States by the Secretary of the Commonwealth, to declare by Proclamation the names of persons returned as elected in the respective Districts; And Whereas, The returns of the General election, held on Tuesday the eighth day of November, A. D. 1892, for Representatives of the people of this State in the House of Representatives of the United States for the term of two years from the fourth day of March next, have been received at the office of the Secretary of the Commonwealth, agreeably to the provisions of the above recited act of the General Assembly, whereby it appears that—

In the First District composed of the First, Second, 7th, 26th, 30th and 36th wards of the city of Philadelphia, Henry H. Bingham has been duly elected.

In the Second District, composed of the 8th, 9th, 10th, 13th, 14th and 20th wards of the city of Philadelphia, Charles O'Neill has been duly elected.

In the Third District, composed of the 3rd, 4th, 5th,

6th, 11th, 12th, 16th and 17th wards of the city of Philadelphia, William McAleer has been duly elected.

In the Fourth District, composed of the 15th, 21st, 24th, 27th, 28th, 29th, 32nd, 34th and 37th wards of the city of Philadelphia, John E. Reyburn has been duly elected.

In the Fifth District composed of the 18th, 19th, 22nd, 23rd, 25th, 31st, 33rd, 35th wards of the city of Philadelphia, Alfred C. Harmer has been duly elected.

In the Sixth District, composed of the counties of Chester and Delaware, John B. Robinson has been duly elected.

In the Seventh District, composed of the counties of Montgomery and Bucks, Irving P. Wanger has been duly elected.

In the Eighth District, composed of the counties of Northampton, Monroe, Pike and Carbon, William Mutchler has been duly elected.

In the Ninth District, composed of the counties of Berks and Lehigh, Constantine J. Erdman has been duly elected.

In the Tenth District composed of the County of Lancaster, Marriott Brosius has been duly elected.

In the Eleventh District, composed of the County of Lackawanna, Joseph A. Scranton has been duly elected

In the Twelfth District, composed of the County of Luzerne, William H. Hires has been duly elected.

In the Nineteenth District, composed of the County of Schuylkill, James B. Reilly has been duly elected.

In the Fourteenth District, composed of the Counties of Lebanon, Dauphin and Perry, Ephraim M. Woomer has been duly elected.

In the Fifteenth District, composed of the counties of Bradford, Susquehanna, Wayne and Wyoming, Myron B. Wright has been duly elected.

In the Sixteenth District, composed of the counties of Tioga, Potter, Lycoming and Clinton, Albert C. Hopkins has been duly elected.

In the Seventeenth District, composed of the counties of Northumberland, Columbia, Montour and Sullivan, Simon P. Wolverton has been duly elected.

In the Eighteenth District, composed of the counties of Franklin, Fulton, Huntingdon, Mifflin, Juniata, Snyder and Union, Thaddeus M. Mahon has been duly elected.

In the Nineteenth District, composed of the counties of Cumberland, Adams and York, Frank E. Beltzhoover has been duly elected.

In the Twentieth District, composed of the counties of Cambria, Blair, Somerset and Bedford, Josiah D. Hicks has been duly elected.

In the Twenty-first District, composed of the counties of Westmoreland, Armstrong, Indiana and Jefferson, Daniel B. Heiner has been duly elected.

In the Twenty-second District, composed of the City of Pittsburg and all Townships and Boroughs lying between the Monongahela and Allegheny Rivers, except the City of McKeesport and the Boroughs and Townships lying between the Youghiogheny and Monongahela Rivers, in the County of Allegheny, John Dalzell has been duly elected.

In the Twenty-third District, composed of the City of Allegheny and all Townships and Boroughs lying north of the Allegheny and Ohio Rivers, in the County of Allegheny, William A. Stone has been duly elected.

In the Twenty-fourth District, composed of the Counties of Fayette, Greene and Washington, and all Boroughs and Townships lying south of Monongahela and Ohio Rivers, and the Boroughs and Townships lying between the Youghiogheny and Monongahela Rivers, and the City of McKeesport, in the County of Allegheny, William A. Sayre has been duly elected for unexpired term* to 52nd Congress.

In the Twenty-fourth District, as above designated, William A. Sipe has been duly elected.

In the Twenty-fifth District, composed of the Coun-

DOCUMENT RELATING TO THE PROCLAMATION.

Pennsylvania, ss:
(Signed) Robt. E. Pattison.

IN THE NAME AND BY THE AUTHORITY of the Commonwealth of Pennsylvania. Executive Department. ROBT. E. PATTISON, Governor of the said Commonwealth.

To William H. McCleary, Esq., High Sheriff of the County of Allegheny, Sends Greeting:

Whereas, In consequence of the death of Honorable Alexander K. Craig, who was a member of the Fifty-second Congress from the Twenty-fourth Congressional District of this Commonwealth, composed of the Counties of Fayette, Greene and Washington and all boroughs and townships lying South of the Monongahela and Ohio Rivers, and the boroughs and townships lying between the Youghiogheny and Monongahela rivers, and the City of McKeesport, in the County of Allegheny, a vacancy exists in the representation of this State in the House of Representatives of the Congress of the United States;

Now, Therefore, I, Robert E. Pattison, Governor of said Commonwealth in pursuance of the provisions of the Constitution of the United States and of an Act of the General Assembly of this Commonwealth, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, have issued this writ commanding you, the said William H. McCleary, High Sheriff as aforesaid, to hold an election in that part of the County of Allegheny included in the boroughs, townships and city as aforesaid on the first Tuesday after the first Monday of November, being the eighth day of November in the year of our Lord one thousand eight hundred and ninety-two, for the election of a Representative of the people of this Commonwealth in the House of Representatives of the Congress of the United States to fill the vacancy as aforesaid; and you are hereby required and enjoined, to give lawful notice, and cause to be held and conducted, the said election, and make return thereof, in manner and form as by law is directed and required.

Given under my hand and the Great Seal of the State at Harrisburg, Pennsylvania, this sixth day of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:
Wm. F. Harrity,
Secretary of the Commonwealth.

Similar Proclamations were this day issued to George A. McCormick Sheriff of Fayette County, John A. Moore Sheriff of Greene County and William P. Chenny Sheriff of Washington County.

ties of Beaver, Lawrence, Mercer and Butler, Thomas W. Phillips has been duly elected.

In the Twenty-sixth District, composed of the Counties of Crawford and Erie, Joseph C. Sibley has been duly elected.

In the Twenty-seventh District, composed of the Counties of Venango, Warren, McKean and Cameron, Charles W. Stone has been duly elected.

In the Twenty-eighth District, composed of the Counties of Clarion, Forest, Elk, Clearfield and Centre, George F. Kribbs has been duly elected.

For the State at Large, William Lilly and Alexander McDowell have been duly elected.

Now, Therefore, I, ROBERT E. PATTISON, Governor as aforesaid, do issue my Proclamation hereby publishing and declaring that Henry H. Bingham, Charles O'Neill, William McAleer, John E. Reyburn, Alfred C. Harmer, John B. Robinson, Irving P. Wanger, William Mutchler, Constantine J. Erdman, Marriott Brosius, Joseph A. Scranton, William H. Hires, James B. Reilly, Ephraim W. Woomer, Myron B. Wright, Albert C. Hopkins, Simon P. Wolverton, Thaddeus M. Mahon, Frank E. Beltzhoover, Josiah D. Hicks, Daniel B. Heiner, John Dalzell, William A. Stone, William A. Sipe (unexpired Term, 52d Congress), William A. Sipe, Thomas W. Phillips, Joseph C. Sibley, Charles W. Stone, George F. Kribbs, William Lilly and Alexander McDowell have been returned and duly elected in the several districts and for the State at Large before mentioned, as Representatives of the people of this State in the House of Representatives of the United States for the term of two years from the fourth day of March next.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this Twenty-second day of November, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Proclamation of the Election of Judge Dean of the Supreme Court.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, It is provided in and by an act of the General Assembly of this Commonwealth, entitled "An act to provide for the election of Judges of the several courts of this Commonwealth and to regulate certain Judicial Districts," approved the 15th day of April, A. D. 1851, that the Secretary of the Commonwealth shall cause the returns made to him of an election for Judge of the Supreme Court to be opened and the votes cast for the persons voted for to fill said office, to be accurately computed, and that the Governor shall forthwith issue his proclamation declaring the person voted for, for Judge of the Supreme Court, who has

received the greatest number of votes, to be duly elected.

And Whereas, The Secretary of the Commonwealth has caused the returns of the late General Election for Judge of the Supreme Court to be opened and the votes cast to be accurately computed, whereupon it appears that John Dean received the greatest number of votes of the persons voted for to fill the said office of Judge of the Supreme Court.

Now Therefore, In conformity with the provisions of the aforesaid Act of the General Assembly, I, ROBERT E. PATTISON, Governor of the said Commonwealth, do issue this my Proclamation publishing and declaring that the persons voted for for Judge of the Supreme Court of this Commonwealth at the last General Election, held on Tuesday, the Eighth day of November, A. D. one thousand eight hundred and ninety-two, John Dean received the greatest number of votes, and is therefore elected Judge of the Supreme Court of this Commonwealth.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this Twenty-second day of November, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Proclamation of the Death of Honorable Henry Martyn Hoyt, Some Time Governor of the Commonwealth.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

The people of Pennsylvania have received with profound regret the sad intelligence of the death of the brave soldier and honored ex-Governor of the Commonwealth

HENRY MARTYN HOYT,

which occurred at his residence in the city of Wilkes-Barre, after a painful and protracted illness, at 2 o'clock A. M., this first day of December, A. D. 1892.

A native of Pennsylvania, he revered and loved the solidity of its mountains, its men and its civilization.

As a student, a school teacher, a lawyer, a judge, a soldier and a statesman, he exemplified in a remarkable degree that strength of character and manly devotion to principle which characterizes true manhood and genuine greatness.

As Executive of this Commonwealth, he was loyal to the exacting duties and responsibilities of the trying position, and his acts cast a lustre on his name and elicited the admiration of all good citizens.

Born June 8th, 1830, his early years were passed upon his father's farm, near Kingston, Luzerne county, where he acquired the rudiments of his most excellent education. He graduated at Williams College, Massachusetts, in the year 1849, and further improved his mind by teaching in the Academy at Towanda and at Wyoming Seminary.

His law studies were prosecuted under the supervision of the Honorable George W. Woodward, ex-

chief justice of the Supreme Court, and Honorable Warren J. Woodward; he was admitted to the Bar of Luzerne county on the 4th day of April, A. D. 1853. His abilities as a lawyer were developing rapidly, when his country called him to service, and he sacrificed his prospects for success and distinction at the Bar for the hardships and uncertainties of the battle field. He aided in raising the 52nd regiment of Pennsylvania Volunteers, of which he was commissioned Lieutenant Colonel, served with distinction in many hotly contested engagements, was promoted for merit and gallant conduct, became Colonel of his regiment and breveted a Brigadier General.

Returning to private life, he resumed the practice of his chosen profession and soon forged his way to the front ranks of the able Bar at Wilkes-Barre.

In the year 1867 he was appointed additional Law Judge of the Luzerne County Courts, and his career on the Bench was marked with ability, impartiality and dignity.

He was appointed Collector of Internal Revenue for his district in the year 1869, and resigned from said office in 1873.

Was Chairman of the Republican State Committee in 1875, and became the candidate of his party for Governor in the year 1878, was elected by a large plurality, inaugurated on the 14th day of January, 1879, and discharged the duties of Chief Executive with credit to himself and to the best interests of the Commonwealth.

The Pennsylvania Industrial Reformatory at Huntingdon is the result of his interest in the treatment of first offenders against the law and was erected in pursuance of his suggestions to the Legislature. He introduced and tried to bring about reforms in the administration of the affairs of State. History will do justice to his memory.

To-day all admire the character of the learned professor, the great lawyer, the upright judge, the gallant soldier, and the able, fearless and scholarly ex-Governor, whose courage and independence reflected the highest credit on himself, his State and her people.

His funeral will take place at Wilkes-Barre, Luzerne county, Pennsylvania, on Saturday, December 3rd instant, at three o'clock, P. M.

In consideration of his eminent and long continued public service, it is ordered that the flags upon the public buildings be displayed at half staff upon the day of the funeral, and that the several Departments of the State Government within Executive control be closed upon that day.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this first day of December, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:
A. L. Tilden,
Deputy Secretary of the Commonwealth.

Proclamation of the Cancellation of One Million Four Hundred and Seventeen Thousand One Hundred and Six Dollars of the Principal Debt of the Commonwealth Through the Sinking Fund.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, By the third section of an act of the General Assembly of this Commonwealth, entitled "An Act to establish a Sinking Fund for the payment of the public debt," approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight, and the supplement thereto, approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-eight, it is made the duty of the Secretary of the Commonwealth, Auditor General and State Treasurer, Commissioners of the Sinking Fund, created by the said first recited act of the General Assembly, to report and certify to the Governor annually, the amount received under the said Act, the amount of interest paid and the amount of the debt of the Commonwealth redeemed and held by them; Whereupon the Governor shall direct the certificates representing the indebtedness to be cancelled, and on such cancellation issue his proclamation, stating the fact and the extinguishment and final discharge of so much of the principal of said debt.

And Whereas, William F. Harrity, David McM. Gregg and John W. Morrison, Commissioners of the Sinking Fund, in obedience to the requirements of said enactments, report and certify to me that the amount of the debt of the Commonwealth, redeemed and held by them for the financial year ending on the thirtieth day of November, Anno Domini one thousand eight hundred and ninety-two, is one million four hundred and seventeen thousand one hundred and six dollars, made up as follows:

Relief note, act May 4th, 1841, redeemed,.	$6 00
Five per cent. loans, act March 20th, 1877, purchased, ...	882,800 00
Five per cent. loans, act March 20th, 1877, redeemed, ...	533,700 00

Four per cent. loans, act June 8th, 1881, (10th series), redeemed, ...	600 00
	$1,417,106 00

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, in compliance with the provisions of the above recited Act of the General Assembly, do issue this my proclamation, declaring the payment, cancellation, extinguishment and discharge of one million four hundred and seventeen thousand one hundred and six dollars of the principal of the public debt of this Commonwealth.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this ninth day of December, in the year of our Lord one thousand eight hundred and ninety-two, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Biennial Message to the Assembly. 1893.

Executive Department,
Commonwealth of Pennsylvania,
Office of the Governor,
Harrisburg, January 3, 1893.

Gentlemen:—

IN COMMUNICATING TO YOU A VIEW OF THE public interests of our state, at the beginning of your labors, the first sentiment that impresses itself upon the mind is gratitude to the Divine Author

of all good for the blessings we have enjoyed during the year now closed. While we render thanksgiving for these blessings, we are not unmindful of the afflictions which brought distress to two of our cities. During the month of June, 1892, Titusville and Oil City were visited with a great calamity of flood and fire, destroying life and property and carrying feelings of sorrow into the hearts of our fellow-citizens. Yet prompt and generous charity kindled a spirit within us of thanksgiving for the broad and liberal response to the sufferers.

While these blessings are recalled, it is a painful duty to advert to the ungrateful return made for them manifested in the spirit of insurrection which characterized the disturbance at Homestead, Allegheny county. There, under the plea of correcting abuses, civil authority was suspended and the officers of the law were defied. Armed bodies, claiming the right to redress the wrongs of employe and to protect the right of employer, confronted each other in hostile array, resulting in riot, bloodshed and murder. To restore and maintain order, the whole military force of the State was moved. By its zeal and activity in supporting the civil authorities, peace and submission were maintained, and many of the offenders arrested. It is gratifying to know that from the time the civil authorities first called upon the Executive for aid not a shot was fired nor was a drop of blood shed. Our cost in this trouble will not be considered if it be followed by greater love of liberty, obedience to law and support of the public authorities, for in this we have "a sure guarantee of the permanence of our republic."

Our great commonwealth contains a population of more than five millions, equal to that of the whole United States at the beginning of this country, and with interests and activities far more extensive and diversified. Rich in agriculture, manufactures, mining

and commerce, our state has more than fulfilled the prediction of its noble founder when he declared that he had led "the greatest colony into America, and the most prosperous beginnings that ever were in it are to be found among us."

The gravity of the great trust committed by the people to our care should be the corresponding measure of the importance of our duty. Coming from every section of the state, you bring with you the sentiments and expressions of the whole. They will enable you to give such direction to public affairs as will meet with the support and approval of all the people. With such considerations as our guide, I enter upon the duty enjoined upon the Executive "to give to the General Assembly information of the state of the commonwealth and recommend to its consideration such measures as he may judge expedient." For information in detail of the several departments and boards of the state government, I commend to you the reports prepared by the state officers with great care and abounding in useful information.

The gratifying exhibit of the financial condition of the commonwealth is certainly cause for felicitation The receipts from the ordinary sources during the fiscal year ending November 30, 1892, were as follows Tax on corporations, $4,938,510.50; personal property, $2,235,838.46; collateral inheritance tax, $1,111,120.65; licenses of all kinds, $1,303,486.21; United States government (which includes proceeds from the sale of bonds, interest on United States consols, war claims and maintenance of the Soldiers' Home at Erie), $539,875.99; Allegheny Valley Railroad Company, $187,500.00; tax on writs, $175,139.09; fees of public officers, $104,914.23; miscellaneous, $152,373.95; making in all $10,748,759.08, which with the balance on hand November 30, 1891, $6,979,854.55, amounted to $17,728,613.63.

The following were the payments: Department expenses, $1,451,963.23; loans redeemed, interest on loans, $1,784,653.50; charitable and penal institutions, $1,590,345.81; common schools, $5,379,672.08; National Guard, including $375,223.46 (expended in the suppression of the disturbance at Homestead), $583,599.14; soldiers' home and soldiers' orphan schools, $182,628.98; state tax on personal property returned to counties, $541,779.06; voting booths and compartments, $51,539.02; Pennsylvania State College, $93,713.19; miscellaneous items, $68,074.67, making the aggregate amount for the year ending November 30, 1892, $11,727,968.68, leaving a balance in the treasury of $6,000,644.95.

The item of $1,451,963.23, "department expenses" included $542,842.19 for judiciary, $191,507.49 for public printing and supplies; $166,737.80 for special commissions (which includes $125,000 for the World's Fair commission; $25,000 for the fish commission, and for miscellaneous commissions, $16,737.80) and counsel fees, $11,400.35. This last item contains $10,000, paid in counsel fees March 1, 1892, to the military state agents appointed by myself and predecessors to settle, adjust and collect claims of the commonwealth against the United States. This payment is understood to have been made by the State Treasurer and Auditor General for alleged services of these agents in securing the payment due the state of the $1,654,711.43 direct tax returned under the act of Congress, approved March 2, 1891. The act of Congress authorizing that refunding provided, inter alia "that no part of the money hereby appropriated shall be paid out by the Governor of any state or territory, or any other person to an attorney or agent, under any contract for services now existing or heretofore made between the representative of any state or territory and any attorney or agent." I accordingly insisted upon securing the warrant for this

whole amount, and upon paying it entire and without any deduction for fees, or commissions into the State Treasury, whence it was, as an entirety assigned directly by the act of 29th May, 1891, to the sinking fund, to be applied to the payment of the loans of the commonwealth reimbursable February 1, 1892, and it was so applied. No portion of it was available therefore for any such purpose as counsel fees, and the act of Congress seemed to imply no recognition whatever of the service of any attorney or agent or any commonwealth in securing it. Nevertheless, the Auditor General and State Treasurer held that such service had been rendered as were provided for under the 23d section of the appropriation act of 1891, and paid the fees stated without my concurrence or approval and against my view of the influences and agencies which secured to the commonwealth the refunding of this money from the federal government.

The receipts of the State Treasury for the year 1892, were $2,258,402.66 less, and the payments were $1,274,016.04 more than those of the preceding year. The revenues of 1891 were increased by two unusual items, one being the $1,654,711.43 direct tax returned under the act of Congress, approved March 2, 1891, and the other item included $440,000.00 tax on capital stock of corporations and limited partnerships; $180,000.00 tax on gross receipts; $720,000.00 taxes on loans, making an aggregate of $1,345,000.00 taxes of previous years which had remained uncollected, awaiting the determination of litigation. These two items, together with the enforced prompt returns from the counties and cities of the state, stimulated by the resolution of the legislature, account for the excess of the revenue of 1891 over the present year. The receipts for the year 1892, $10,748,759.08, may be taken as the measure of revenues of the commonwealth under the act of 1891. The average annual receipts for the last ten

years, are $8,221,003.25, with an average annual balance for the same period of $3,444,938.53. The revenue law of 1891 will yield $2,500,000.00 in excess of the annual revenue for the last ten years.

The average annual payments for the last ten years were $8,701,931.75; the payments for the year 1892, were $11,727,968.68; the payments for the year 1892, $3,000,000.00 in excess of the average annual payments for the past ten years, owe their increase to the $3,000,000.00 additional appropriation to the common schools.

The balance in the hands of the Treasurer on November 30, 1892, was $6,000,644.95; the average annual balance in the hands of the Treasurer for the last ten years was $3,444,938.53. This balance, two millions and a half greater than the average balance for the last ten years, with the annual revenue under the act of 1891, will amply provide for the expenses as they now exist. It is greatly to be regretted that the State Treasurer is compelled to carry such balances. Nicer adjustment of the revenue to the expenditures would possibly do away with such a plethora of public moneys. Superabundant public revenues which can only be produced by needless taxation in some form are always an invitation to extravagance, and subject the funds of the commonwealth and its officials to the uncertainties of financial institutions as our experience has already too often taught us.

Both the Auditor General and the State Treasurer have experienced considerable trouble with reference to returns of money from the county and state officers. The act of May 7, 1889, requires that "each county and state officer shall render to the Auditor General and State Treasurer quarterly returns of all moneys received by them for the use of the commonwealth," and shall pay the same into the State Treasury. For failure to make such returns or payment within the

time specified in the act, certain penalties are attached. The legislature, by a concurrent resolution, approved the 23d of May, 1891, required all borough, city, county and state officers, authorized to collect or receive taxes or license fees for the commonwealth to make a return on the first of every month, and within ten days thereafter to pay the amount mentioned in said return into the State Treasury. No penalties were attached for failure to comply with the requirements of this resolution. The requirement of both quarterly and monthly reports and payments has produced confusion. I fully concur in the suggestion of these officers, that the returns should be required to be made by authority of law within thirty days under a sufficient penalty to compel a compliance with its provisions.

The indebtedness of the state on the 1st of December, 1891, was $9,811,568.28; the total public debt of the state on December 1st, 1892, was $8,394,462.28, showing a reduction of $1,417,106.00. This reduction has been brought about by the redemption of the loans of March 20, 1877, $882,800.00; also a similar reduction of June 8, 1881, and a part of the state indebtedness, amounting to $162,512.28, which included relief notes of May 4, 1841, interest certificates and bonds on which interest has ceased. If, from the total indebtedness of November last, all bonds and money held by the commonwealth in the sinking fund, amounting to $5,787,869.75 be deducted, there remains an actual debt November 30, 1892, $2,606,592.53. This debt, represented by loans maturing 1904, 1912, and the Agricultural College scrip, payable in 1922, has been provided for. The income of the sinking fund, with the annual appropriation for interest, will be sufficient to meet the indebtedness at the date of its maturity. Unfortunately no option was provided in the loans. Their payment therefore cannot be anticipated. The general fund

will in the future be a subject of greater concern to the legislature than the sinking fund.

The inequality in our tax laws still continues. I have suggested, on two occasions, to the legislature a more equal distribution of the burdens of taxation. Taxation to be just should be distributed as nearly as possible on all alike, and should be as even as practicable upon all classes of property. In our state, values chiefly constitute the basis of taxation, the value of real estate and the value of personal property. Nearly all the revenues of cities, towns, boroughs and counties, school and road tax, are derived from values as a basis of taxation. If the two forms of property, real and personal, are equal in value under a just system they should equally bear the burdens of taxation. Real property, comprising the farms and homes of our fellow citizens, is appraised at two billions of dollars for tax purposes; and personal property, in which is classed all property not real, is in excess of this appraised value of real estate. The whole amount raised for all purposes in the state, for city, county, borough, town, school and road purposes, is approximately $40,000,000.00; of which real property pays about $30,000,000.00, and personal property about $10,000,000.00 Appreciating the principle that taxation should be laid with some regard to the encouragement and diversification of industry, and believing that in our state this idea has been kept constantly to the front, nevertheless I am of the opinion that real estate has undoubtedly borne the burden of the day in taxation. In order to encourage and promote the industries of the commonwealth and to invite capital and enterprise, real estate, especially in the form of farms, has become so depressed as to need relief in a more equal distribution of taxation. There is no disposition nor desire to pursue or oppress one form of property more than another. The injustice of our system must be ad-

mitted by any searcher after truth with a desire to distribute equally the burdens of government. So long as we continue raising our income upon the basis of values, the injustice of compelling a value in land to be taxed beyond a value in personal property is heavily felt by many of our fellow citizens.

I repeat to the legislature a former recommendation, namely, that a revenue law be framed by which the entire cost of the state government should be paid by the taxation upon corporations and collateral inheritances, and the receipts from taxes upon other forms of personal property be returned to the several counties to relieve the real estate therein. Such a system would enable the state to adopt simpler methods of raising revenue than the present laws. The existing tax laws are difficult to understand and costly in their method of collection. Much of the time of the Dauphin county court is occupied in the construction of the revenue laws of the state, and the tax-payer, who ought to know at a glance just what the demands of the state are as to his share of the contribution to its support, is compelled very often to engage in litigation and to await judicial decisions; and in the final outcome of tedious litigation the tax-payers and the commonwealth's officers often discover that they have alike erred unintentionally in their construction of uncertain and indefinite tax laws.

The revenue law of 1891, which amended the laws of 1889 and of 1879, made no material change in our system of collecting the revenues. It simply in three or four sections, increased the rate of taxation. All the complications and complex methods remain. To raise the $9,000,000 or $10,000,000 required by the state ought not to be more difficult than to raise by municipal taxation $15,000,000 or $20,000,000 required by the city of Philadelphia. In that city by the simple exchange of bill and receipt the tax-payer settles his an-

nual tax account. The State Treasurer and Auditor General could very readily make up a budget for the amount required for the annual expenditure, the receipts to be determined by a millage upon the value of paid in corporate capital. The Auditor General could, therefore, submit to the appropriate committee of the legislature calculations showing the state's income, based on different millage according as the state legislature might determine the needs of the government. If the legislature felt that the existing conditions demanded a greater expenditure, the millage could be increased. If, on the other hand, the legislature believed that economy should be practiced in the expenditures of the government the millage could be reduced.

With such a system the tax rate is raised or lowered in the first city of the commonwealth, according to the needs of its government and the condition of its treasury. Were a like system adopted by the state it would not be necessary to amend the revenue laws every time it was found the receipts were not sufficient, nor would there be danger of a surplus when a revenue bill yielded more than was necessary or anticipated. The legislature, through the fiscal and auditing officers, could adapt the expenditures of the government to the financial condition as reported by them. The millage having been determined, the Auditor General would furnish to the tax-payer a bill, stating the value of its paid in capital and the application of the rate of millage applied to it; the amount of the tax could be readily calculated. The transaction would require simply an exchange of bill and receipt. Discounts might be allowed for prompt payment, and penalties be imposed for delinquency. Claims against defaulting tax-payers could be readily certified to the Attorney General and collection enforced through his department. The adoption of some such system, I fully believe, would

relieve us of much of the confusion now existing with reference to our revenue laws. Nor would it materially add to the burdens upon the corporations in the form of state tax, especially in view of the constant increase in their number and in the enormous amount of capital represented in this form of investment. The paid in capital of the corporations of the commonwealth now is $1,200,000. With such a system adopted as I have outlined, all other forms of property would be left to the several counties for the purpose of equalizing their taxation. Local authorities are more able to ascertain the whereabouts of personal property than the state authorities, and bring about the long desired equalization of taxation upon real and personal property equitably based upon actual values. Such a system would also do away with the present method of having the counties collect the state tax, pay the same over to the State Treasurer, and the State Treasurer pay most of it back to the county treasurers. This method is extremely objectionable, and the many handlings of the money must necessarily be wasteful.

Your attention is urgently and earnestly called to the clumsily devised and costly system of collecting mercantile taxes. These taxes imposed upon merchants, brokers, billiard tables and like subjects of taxation are not onerous. They bear very lightly on the subjects upon which they are imposed, and by contrast with the amount levied upon other forms of property are very inconsiderable. No reason exists for their exemption nor for a sacrifice of the public revenues thus yielded. The wrong and abuse under existing conditions lie in the methods provided by law for their assessment and collection. These are devised and used to promote extravagance and corruption and against every interest of the state. They culminated in the act of April 20, 1887, under which five mercantile appraisers are provided for Philadelphia and one for each of the other counties in the state, with lavish

expenditures for advertising. This law, in connection with other unrepealed statutes on the subject, created useless offices and provided for enormous, wasteful and needless expenditures of public moneys throughout the commonwealth. In Philadelphia, as recent exposures have shown, the office of mercantile appraiser was made the subject of shameful barter and corruption. Its incumbents through a long series of years seem to have been wholly regardless of their obligations to the public service. The assessments were a burlesque; exemptions and reductions were made for corrupt consideration; lists were swelled with improper names for improper purposes; thousands of delinquents were reported to the police magistrates and the proceedings against them for the recovery of taxes due the commonwealth were farcical, resulting only in mulcting the commonwealth in hundreds of thousands of dollars of costs without any return; the public advertising was let to newspapers for the consideration of forty per cent. divided among the officials entrusted by the state with its allotment, until the entire board of mercantile appraisers was taken into the criminal courts, indicted and dismissed in disgrace. Under efficient and honest administration of the city treasurer's office in Philadelphia, by the present incumbent and his immediate predecessor, these abuses have been terminated and vast savings of public money have been effected, but the laws under which the wrongs adverted to were practiced, and still are possible, need to be thoroughly reconstructed, and many of their provisions must be wholly repealed. I repeat the recommendation of my message of January 6, 1885, that the office of mercantile appraiser be wholly abolished. The class of taxes assessed by him can be assessed with entire feasibility in the same manner and at the same time that the local assessments are made upon real estate and personal property. The duties of the real

estate assessors are not so arduous as to make this an additional burden, and at the same time it would be a convenience to the citizens. The tax should be paid into the treasury of the county along with the real estate and personal taxes. Personal notice of the amount of these taxes and the day and place of appeal can be served in the same way as notices of other taxes. No justification for advertising then exists. All laws providing for such advertising should be repealed, and a fruitful source of extravagance and corruption will be dried up.

For many years repeated efforts were made to establish through the legislature, a department for the intelligent management, control and supervision of the banks, trust companies and savings funds incorporated under the laws of the state. It was, however, left to the last legislature to bring about the result in the enactment of a bank law which had so long been demanded by the officials of the state and its citizens. Prior to this legislation, the Auditor General was charged with the supervision of banks and saving funds. There was no regular method as to the examination of such institutions, and statistics concerning their standing were, in many instances, unreliable and inaccurate. Notwithstanding the failure of the legislature to make an appropriation to pay the bank superintendent and the necessary expenses and assistance of the office, I felt the importance of this department was so great as to demand an immediate appointment. By the act, rooms were provided for the conduct of the department and the necessary furniture, stationery and other conveniences. The act also further provided for assistants and their compensation. I recommend that an appropriation be made to defray the expenses of the department for 1891 and 1892, which were omitted in the legislation of the last session.

The Superintendent of Banking, with such assistants as he could secure, immediately entered upon the performance of his duties. Blanks and forms required by the law were carefully prepared. Institutions represented by banks, saving funds and trust companies were called upon for reports. The law was promptly acquiesced in and responded to by the companies subject to its provisions. Many of them were called upon for the first time by state officials. Publication was given in the daily newspapers of the condition of every financial institution subject to the banking law in the state. A critical examination was made of each report. The bank examiner, in his report, states that the number of incorporated banks and savings institutions certified to this department by the Auditor General, who handed over the supervision, under the act of June 8, 1891, was 91. Their titles were confusing and misleading, but it was afterwards ascertained they consisted of 80 banks and 11 savings institutions. It was found that of this number, prior to that time, two banks had gone out of existence by reason of expiration of charters and were in liquidation or winding up; also that two savings institutions had not commenced business, and their charters lapsed under the law, thus leaving under the banking department's supervision, 78 banks and 9 savings institutions, a total of 87. On December 1, 1892, this number had been increased during the year to 84 banks and 16 savings institutions, and 73 trust companies, making a total of 173. These institutions are represented by a capital of $44,938,224.18; surplus, $19,326,743.01; undivided profits, $11,374,112.41; deposits, $200,065,235.68, making a total of financial interests, under the banking department, of $275,704,315.28. These figures measure somewhat their importance to the banking department and to the people.

I commend to you the following suggestions submitted by the bank examiner.

First. "The immediate passage of an act providing that no company be permitted to loan its money upon its own capital stock."

Second. "That loans beyond certain fixed per centum of the capital stock of a company should not be permitted to be made directly or indirectly to any officer, director or employe of a company, except upon application to and approval of the board of directors."

Third. "That no individual, firm or unincorporated company be permitted to use, in the conduct of their business, any name, sign or device resembling in any respect that of a bank or any other financial corporation."

Fourth. "That foreign corporations, desiring to do a banking, trust or saving fund business, or receiving deposits of money or valuables in this commonwealth, shall first obtain consent from the state therefor, and be brought within the supervision of the banking department."

Fifth. "That the Banking act of June 8, 1891, be so amended as to empower the Superintendent of Banking, or any examiner appointed by him, to administer oaths for any purpose arising in the performance of his duty, and to make any false statement thereon perjury, and to visit it with proper punishment upon conviction."

Sixth. "That a sufficient per diem penalty be imposed upon any company, within the jurisdiction of the banking department, for neglect in complying with the call of the Superintendent of Banking for report of condition, or any other special report which he is empowered to require or publication thereof, within the time prescribed."

Seventh. "That the Superintendent of Banking be empowered to appoint temporary receivers pending

proceedings, when necessity arises, for the taking possession of any company within his jurisdiction, and their compensation be fixed by the court before whom the proceedings shall be held."

Eighth. "That the method of payment of the services of special examiners shall be altered and increased as to enable the employment of examiners of high repute and experience."

Ninth. "That the Superintendent be authorized, in his discretion, whenever he discovers that stocks or other securities upon which loans or investments have been made by any corporation within his jurisdiction have depreciated in value, threatening impairment of capital, to cause said company to require an immediate payment of such loan made by them thereon, or to obtain additional security therefore; and provision that no loan shall be made without an agreement from the borrower that the same shall be subject to the conditions of payments or of additional security, as above required."

Under existing laws, notwithstanding the moneys in the State Treasury are liable to aggregate the enormous sum of from six to eight millions of dollars and the responsibilities of the official entrusted with them are so weighty, no provision is made for their security beyond the State Treasurer's bond of a half million dollars, and his discretion and integrity in selecting places of deposit. The inadequacy of this protection is manifest. The depositories of the federal government are designated by authorized officials. In the city of Philadelphia the depositories of public money are selected by proper official authority, and interest is earned on the large balances carried. Some method ought to be devised by which the deposits of state money should be at once remunerative to the commonwealth and amply secure.

Considerable progress has been made in the com-

monwealth toward the abolition of the fee system as a method of compensating public officials and substitution therefor of fixed salaries. In all of the counties registers and county treasurers receive fees in the form of commissions on licenses, collateral inheritance taxes and other state revenues, often involving excessive inordinate official emoluments. In most of the counties of the state the law still permits the county officers to be paid by fees, the proportion which is intended to reach the State Treasury being largely absorbed by clerical hire, and other forms of expense. Mercantile appraisers and some other officials are still paid by fees. The tendency of legislation, the spirit of the Constitution and the sentiment of the people are decidedly opposed to the fee system for compensating public officers. Such sentiment has proved, by the legislation already had, the wisdom of the abolition of the fee system wherever it exists. Of the officers immediately connected with the administration of the state government, besides the quarantine and health officers hereinafter referred to, the compensation of the Secretary of the Commonwealth, the Attorney General and, under the recent decision of the Dauphin county court of common pleas, the Commissioner of Insurance is comprised in part of a fixed salary, and in part of fees. This condition renders the emoluments of these offices uncertain and variable. It is true, the fees thus paid are originally imposed upon persons and corporations dealing with the commonwealth, and are not drawn directly from its ordinary revenues. The law requires all such fees to be paid into the State Treasury, but entitles the official named to have them wholly or in part returned. This mixed system of compensation is, in my judgment, objectionable. The spirit of the Constitution, and of recent legislation to carry it into effect, has been to pay the officials in large municipalities, and in populous counties by fixed salaries, and

to require all fees to be paid into the public treasury and to remain there. The same considerations, which rule in most of the offices of the state should regulate the salaries and emoluments of all. The commonwealth and the incumbents of its offices, and the people who support them, should be in a position to determine with exactness, in advance, the cost of the public service; and the compensation of public officials should in no degree be dependent on the varying business transacted in their offices. I recommend, therefore, such legislation as will fix adequate but definite salaries for all public officials, to be neither increased nor diminished by, nor to include in any degree, the fees paid into their offices.

The operations of the law department of the commonwealth are set forth in detail in the report of the Attorney General, about to be submitted to your body. Therein it appears that during the past two years an unusual and unprecedented amount and variety of duties have been imposed upon that department. Besides the business pending at the time of the present incumbent's induction into office, 254 appeals by corporations and public officers from taxes imposed upon them have been filed; most of these, together with many other cases involving claims of the commonwealth, have been tried and disposed of in the courts. The collections from delinquent corporations, officials and other creditors of the state have aggregated $874,506.70, in which sum is included $31,923.76 of commissions imposed upon delinquents in the nature of penalties, and paid into the State Treasury. Suits are pending, in most of which the commonwealth has good ground for recovery, involving more than a million dollars. Ninety-five written opinions have been furnished various heads of departments; numerous insurance companies, insolvent or conducting business in violation of the law, have been prosecuted and dissolved;

the contests for the office of city and county treasurer in Philadelphia, and for the office of school superintendent, have been pressed to trial and final determination in the supreme court. The Attorney General assisted the legislative committee inquiring into the Bardsley delinquency, and also appeared before the Senate in conducting the inquiry into the alleged official irregularities of the late Auditor General, State Treasurer and police magistrates. The case of the "Reading Combine" is progressing in the court of Dauphin county; and numerous commonwealth cases, arising out of the transactions of John Bardsley, are in progress in the courts of Dauphin and Philadelphia counties, from some of which the commonwealth has already realized considerable for its first reported losses.

At the risk of having imputed to me tedious reiteration of well-known and often-declared views, I must again express to the General Assembly my firm conviction that proper regard for the oaths of its members, to support and obey the Constitution, requires of them prompt and rigorous enforcement, by appropriate legislation, of the provisions of the sixteenth and seventeenth articles of the Constitution. Complaints, more or less well defined, but sufficient to indicate the existence of the evils complained of, continue upon the subject of corporations engaged in business other than that expressly authorized in their charter, of fictitious and unjustifiable increase or issue of stock and bonds, of undue and unreasonable discrimination on charges or facilities for transportation by common carriers, of the issue of free passes by railroads, railway or other transportation companies, and of various other open or covert, direct or indirect violations of Constitutional provisions regulating private corporations, railroads and canals and other companies organized for transportation or transmission purposes. In all cases

where these have been the subject of properly defined complaints by responsible authorities, they have received the attention of the law department of the state, and if found to be well supported, have been prosecuted by the Attorney General in the courts of the commonwealth. For an extended report of his operations, I refer you to his report about to be submitted to your respective bodies.

There is, however, an absence and lack of the necessary legislation to enforce certain provisions of the corporation articles of the Constitution. Whatever differences about details may have heretofore existed as to the manner in which legislation for these purposes should be framed, there can be no doubt about the meaning of most of these provisions, nor with regard to the duty of the legislature in respect to them. A simple enactment by the General Assembly into statute law of the prohibitory sections, with appropriate penalties attached for their violation, would go far to provide the necessary remedies. If to the section forbidding discrimination in charges or facilities for transportation, and to the section forbidding the issue of free passes, there should be appended severe penalties by heavy fines and forfeitures upon the offending corporations, and by a term of imprisonment and fines upon any and all officers of such corporations who might violate these provisions, I am confident an effective remedy for the evils complained of would be furnished, and I recommend such legislation. Upon its introduction a well-defined issue might be made up and the people of the commonwealth could be summoned to pass judgment without any misunderstanding or misrepresentation of what was involved in so simple a plan to enforce the Constitution which they adopted and approved by so overwhelming a majority. The Executive has no desire, as he has no constitutional power, to transcend or usurp the functions of the law-

making branch of the government; and until the representatives of the people shall declare in statutory enactment their will, certain salutary provisions of the fundamental law must remain inoperative. The sure remedy is to be found in constituencies holding their representatives to strict accountability for legislative omissions.

During the past year an especially flagrant illustration of the manner in which the Constitution is defied has been furnished by the lease or attempted lease and consolidation of the Lehigh and Susquehanna and the Lehigh Valley Railroad Companies by the Philadelphia and Reading. The first intimation which came to the executive officers of the state of any such scheme was the publication in the newspapers that an arrangement had been consummated between the various parties to what is now known as the "Reading Combine," by which the Lehigh Valley Railroad was leased to the Philadelphia and Reading Railroad and the Central Railroad Company of New Jersey, whose system was represented in Pennsylvania by the Lehigh and Susquehanna, passed under the control of the Port Reading Railroad Company, a New Jersey Corporation, the creature of, and controlled entirely by, the Philadelphia and Reading Railroad Company. By the terms of this arrangement it was manifest that three of the great coal transporting companies of the commonwealth, practically controlling three or more of the great coal-producing companies, were united into one system, destroying competition which had previously existed between them to the advantage of the people of this and other commonwealths, and erecting a consolidated monopoly at once violative of the Constitution and threatening the interests of the public. Immediately, the character of this transaction and its effect upon the public interest and the welfare of the commonwealth, and the application of the fourth sec-

tion of the seventeenth article of the Constitution to the facts of the case, became the subject of my attention and of my conference with the Attorney General. Shortly afterwards the complaints of private citizens touching this matter were received by me and were referred to the Attorney General, at whose instance the representatives of the offending corporations were notified that they would be given a hearing and opportunity to show cause why the commonwealth should not intervene in the courts, to have full discovery made of all the leases, contracts and agreements involved in or collateral with the consummated railroad "combine" and to have the same declared null and void, as being in violation of the Constitution, injurious to the public interest, against public policy, illegal and void. At the hearing thus fixed, representatives of the corporations complained against appeared and argued that no occasion for such intervention had arisen or existed. After a consideration of the answers thus made, and an examination of the leases submitted to him, it was the opinnon of the law officer of the commonwealth that the combination effected was in violation of the Constitution and against public policy, and he accordingly filed bills in equity in the court of common pleas of Dauphin County, on March 14th, for a perpetual injunction restraining the lessee and controlling power of the combined companies from operating the corporations of which it had secured control, and asking for a decree to declare the agreements and leases null and void, and for a restoration of the railroads, works and other property of the different corporations included in the combination each to its original owner, for separate operation by it, and for a restoration of the conditions of competition which had theretofore existed. Answers were duly filed and examiners appointed to inquire into and report the facts of the case to the court. A detailed report of these pro-

ceedings will appear in the communication from the Attorney General.

Two suits brought by private individuals in other courts of the commonwealth, touching the same matters, have progressed so far that in the one case a preliminary injunction was refused, and in the other the finding of the master was adverse to the complainant and in favor of the legality of the "combine." The case of the commonwealth, which is believed to be stronger than either of these elsewhere instituted, and which seeks to secure a permanent dissolution of the combination, is about ready to be argued in the Dauphin county court of common pleas, and can be readily disposed of in time for final adjudication at the next term of the supreme court. This is not the time nor occasion to undertake to forecast the final determination of a question now in course of orderly settlement by the proper tribunals established by law. It need only be stated, in addition, that by reason of the legal proceedings in this and other commonwealths, the Central Railroad Company of New Jersey, upon the 31st day of August, 1892, re-entered upon and resumed possession of the lines of railroad owned, leased and operated by it in this state, including the Lehigh and Susquehanna, and is now alleged to be in exclusive possession and operation of the same. This step was not taken before the chancellor of New Jersey had made a decree that the agreement and leases between these railroad companies should be set aside, and from this decree the Port Reading and Philadelphia and Reading Railroad Companies have entered an appeal, which has not yet been finally disposed of.

During the month of May, 1891, much excitement was created in the financial and political circles of Philadelphia and of the state generally by the failure of the Keystone National Bank, in which John Bardsley, treasurer of Philadelphia city and county, was a

very heavy depositor, not only of city moneys, under the municipal regulations making that institution a depository of the same, but also of personal property taxes collected by the city and county of Philadelphia for the commonwealth and not yet paid into the State Treasury, of taxes on city loans of Philadelphia due and owing to the commonwealth, and of license moneys collected for the commonwealth by Bardsley and not as yet returned to the State Treasurer.

The failure of the Spring Garden National Bank involved similar interests. A few days after the announcement of the bank failures it was discovered that Bardsley's enormous losses in these banks and elsewhere, and his many official irregularities, would make him a defaulter to the state and city to a large amount. He resigned his office, and his withdrawal was quickly followed by criminal complaints made against him, in Philadelphia, at the instance of the prosecuting attorney, and in Harrisburg upon the suggestion of the Attorney General, for embezzling public funds. He was arraigned, pleaded guilty and was sentenced to fifteen years imprisonment and fines aggregating $237,000.

Meantime a conflict of opinion arose as to the right to nominate his successor. It was claimed both by the county commissioners and by the councils of Philadelphia city, but they agreed in choosing the same person, and thus composed whatever differences might have arisen between these two bodies or between different appointees made by them. Being advised that the power to fill the vacancy was reposed in the Executive, I nominated Mr. William Redwood Wright, of Philadelphia, to be treasurer of Philadelphia city and county. Failing of confirmation during the session of the Senate, he was reappointed after its adjournment, but was denied admission to the office by the incumbent placed therein by the municipal authorities of Philadelphia. The Attorney General applied for a writ of

quo warranto to test the right of appointment. This contention was expeditiously conducted and was finally determined by the supreme court in favor of the appointee of the state's Executive. Mr. Wright promptly took possession and control of the office and adminstered its duties with such efficiency as to greatly promote the interests of the city and of the commonwealth.

Various committees, commissions and experts were promptly engaged upon a thorough examination of Bardsley's books and accounts, and also those of the Keystone National bank.

The interests of the commonwealth and its rights, as against Bardsley and his sureties, his various depositories and debtors and city of Philadelphia, were so intimately involved in all these that I applied to the Secretary of the Treasury and received from him permission for a commission of my own appointment to investigate such books and accounts as were in the custody of the receivers of the Keystone and Spring Garden National banks so far as the interests of the commonwealth were concerned. I appointed Messrs. Francis B. Reeves, N. DuBois Miller and S. Davis Page a commission for this purpose, and with competent expert assistance, largely aided by Treasurer Wright, and under the advice and with the assistance of the Attorney General, they prosecuted their labors with intelligence and assiduity. These labors have not yet been fully completed nor has the commission's final report been received, but they succeeded in establishing the commonwealth's case and claim and in developing to the fullest possible extent the uses to which its money or moneys in which it had an interest had been applied.

By these various methods of investigation it was disclosed that of the personal property tax collected by the city of Philadelphia for the use of the commonwealth for the year 1890, the bulk of which might and

should have been paid into the State Treasury during that year, and all of which should have found its way thither certainly in the early part of 1891, there remained unpaid and unaccounted for at the time of Bardsley's resignation, $472,013.00; of the personal property tax for 1891, $289,232.96 had been collected and no part of it turned into the State Treasury. $86,030.00 of the loans tax due from Philadelphia for the year 1890 remained unpaid; besides $367,604.18 of the license taxes for Philadelphia for 1890, and $1,497.54 for 1891. It also transpired that these losses, partly believed to fall upon the commonwealth and partly upon the city of Philadelphia, were mainly caused by the indulgence of Bardsley by Auditor General McCamant and State Treasurer Boyer, who had not required from him the payments to the commonwealth as provided by law. It also appeared that the school appropriation payable to Philadelphia for the school year ending June 30, 1891, there had been improvidently paid and advanced to Bardsley $420,000.00, of which he turned no part into the treasury of that city, whereby great loss was occasioned to it. The conduct of the police magistrates and mercantile appraisers in Philadelphia and many other circumstances of these transactions, hitherto communicated by me to the Senate, were matters of general public information. The inquiries of a committee of the General Assembly and the Philadelphia councils had disclosed these and other matters of grave concern.

In view of all this I deemed it my constitutional duty to convene the Senate in extraordinary session on October 13, 1891, and to communicate to that body from time to time the facts as brought to my knowledge concerning what seemed to me to be the misconduct of certain state officials and other elective officers, for the particulars of which I refer you to these communications to the Senate. At my request the law

officer of the state conducted in part the investigation by the Senate committee; and, at the request of the Senate in extra session assembled, he assisted in producing before it evidence of the facts to which I had referred in my message, and discussed the nature and effect of this testimony, the bearing of the facts proved and the powers of the Senate in the premises. After a protracted session, notwithstanding the hearing given to the cases by the Senate, and notwithstanding the report of the legislative committee that the embezzlement of Bardsley was due largely to the reprehensible practices prevailing in the fiscal and auditing departments of the state government, and that the public losses caused would have been averted by a proper administration of these offices, the Senate by a partisan vote declared that it had "no jurisdiction" in the matter, and adjourned sine die.

Meantime suits against Bardsley and the city of Philadelphia, to recover for the commonwealth the moneys lost to or withheld from it have been instituted; demand was made upon his bondsmen to the extent of their obligations and in actions brought against his debtors and depositors, wherever any claim of the commonwealth to funds or proceeds of investment could be established, intervention was made by the Attorney General. A detailed account of these proceedings appears in his report.

Some thirty suits were originally instituted by the commonwealth or became the object of its intervention. Judgment for $394,010.40 against Bardsley for license moneys was obtained, and is held as a claim against his estate, awaiting its distribution; $120,000.00 was promptly paid by his bondsmen; $38,230.20 has been recovered for the commonwealth and paid into its treasury from banks in which Bardsley deposits were traced as commonwealth moneys; a judgment of $1,004,640.00 received by Bardsley's assignees

against the Keystone Bank, $300,300.00 has been marked to the commonwealth's use and a proportionate share of the receiver's certificate has been assigned for payment of dividends as they may be declared. The suits for the recovery from Philadelphia of the personal property and license taxes are pending in the Dauphin county courts, as well as the suits against the publishers of the newspapers to reclaim rebates on advertising paid to Bardsley and his agents, and numerous suits at common law and in equity in Philadelphia against the persons and corporations to whom, it is alleged, Bardsley diverted the moneys of the commonwealth. The pernicious custom, hitherto prevailing in the school department and State Treasury, of paying to the city and county of Philadelphia its share of the school appropriation months in advance of the time fixed by law, and uniformly adhered to for other parts of the state, has been broken up. The influence of the exposure of losses suffered by state and county in the failure of county treasurers to promptly remit their commonwealth collections has been sensibly felt in largely increased and much prompter returns from these sources. Increased security from county treasurers receiving state moneys has been demanded and secured. In view of the responsibilities attaching to the office of Auditor General and the great fiscal importance to the commonwealth of a careful and prompt discharge of its duties, I recommend that the amount of that official's bond be largely increased.

For the first time since the creation of the Board of Pardons in accordance with the provisions of the new Constitution, its membership has been evenly divided between representatives of the two great political parties of the commonwealth. Two members of the board consist of appointees of the Executive, and two are state officials chosen by the popular vote. That the solemn and highly responsible duties of this body have

been discharged with a due regard for the considerations which should properly be addressed to the exercise of its powers, is simply proved by the unanimity which has prevailed among the members of the board in their recommendations and by the discrimination exercised in passing upon the many applications submitted.

During the past two years the board has heard and considered 167 cases involving the following crimes:

Abortion, two; accessory after the fact to rape, one; adultery and bigamy, one, aggravated assault and battery, six; arson, three; assault and battery, six; assault and battery with intent to kill, one; assault and malicious mischief, one; assault with intent to commit sodomy, one; assault with intent to kill, one; assault with intent to commit rape, one; breaking and larceny, three; burglary, six; burglary and horse stealing, two; burglary, larceny and felonious entry, one; conspiracy. ten; eavesdropping, one; embezzlement, five; entering, larceny and receiving stolen goods, one; enticing girl under sixteen years, one; false pretense, one, felonious assault, one; felonious rape, three; forgery, three; fraudulently altering written instrument, one; fraudulently making written instruments, one; fraudulenty uttering written instruments, one; indecent assault, one; involuntary manslaughter, two; keeping disorderly house, two; knowingly marrying the wife of another, one; larceny, fourteen; larceny and aggravated assault and battery, two; larceny and false pretense, one; larceny and receiving stolen goods, two; larceny as bailee, three; larceny as bailee and embezzler, one; libel, three; murder in the first degree, seventeen; murder in the second degree, seven; neglect of infant, one; rape, five; rape and adultery, one; rape, sodomy and buggery, one; receiving stolen goods, one; rehypothecation of stocks, two; riotous destruction of buildings, riot, etc., two; robbery, four; robbery and assault and

battery, one; robbery and carrying concealed deadly weapons, two; seduction and fornication and bastardy, three; selling liquor without license, thirteen; shooting with intent to kill, two; sodomy, one; trespass, assault, etc., one; voluntary manslaughter, one; total, one hundred and sixty-seven.

Forty-eight of these persons were recommended for executive clemency. The offenses of which they were convicted were as follows: aggravated assault and battery, two; assault and battery, two; assault and malicious mischief, one; burglary, three; burglary, larceny and felonious entry, one; burglary and horse stealing, two; conspiracy, three; eaves-dropping, one; embezzlement, three; felonious assault, one; felonious rape, two; fraudulently making written instrument, one; involuntary manslaughter, two; larceny, four; larceny as bailee, one; larceny as bailee and embezzlement, one; larceny and false pretense, one; libel, two; murder, first degree, nine; robbery, one; robbery and assault and battery, one; seduction and fornication and bastardy, one; selling liquor without license, two; shooting with intent to kill, one. Of these forty-eight persons, thirty-six were pardoned, nine had their sentences commuted to imprisonment for life, three failed to receive executive approval. Of these three, two were charged with involuntary manslaughter, and one with larceny and receiving stolen goods.

From many sections of the state, and from eminent judicial and legal authorities, there have come to me complaints against the system well established by judicial decisions, of challenging jurors, under which, in Pennsylvania, the commonwealth has a right to stand aside an unlimited number of the panel. The common law right of the Crown to peremptorily challenge jurors without limit is a relic of long remote ages, governed by conditions that do not now exist. Notwithstanding our statutes granting to the prosecution and

to the defendant a certain number of peremptory challenges, it has been repeatedly decided, and is now firmly established, that, in addition to this advantage, the commonwealth is entitled to stand aside jurors without limit until the panel is exhausted. Experience has demonstrated that, though this power is seldom invoked, it is generally exercised when it can best be made the subject of abuse. In some of the courts of the country, such power on the part of the state has been expressly denied, and in many of them it has been severely reprehended, as it has also encountered the disapprobation and dissent of many leading text writers on that subject. It exists to-day in few states besides our own.

I am of the opinion that, where peremptory challenges are allowed the commonwealth and provided for by statute, the right to stand aside jurors should not exist, and I therefore recommend the adoption of such legislation as has been enacted in most of the other states as will terminate the exercise of this power by the commonwealth's officers. If, in view of its abolition, the peremptory challenges allowed the state should be made equal in all cases to the number allowed the accused, that provision may be joined with the same enactment which abrogates the right to stand the jurors aside. The sound policy of an enlightened commonwealth demands an amendment of the procedure in criminal cases to this effect; that the inordinate advantage now enjoyed by the prosecution, furnishing opportunity for violation of the rights of the citizen should cease to exist.

The first practical test of the act of June 19, 1891, popularly known as the "Ballot Reform Law," was made at the state and local elections on November 8, 1892. Experience has proved that the inconvenience and difficulties attending the system of voting thus established has been greatly magnified in the popular

mind. The general apprehensions that it would materially interfere with and obstruct the free exercise of the elective franchise proved, in the main, groundless. The law has met with very general popular approval. Its two essential features, an official ballot and the private booth provision for the voter to mark his ticket, are great advances in our electoral system, and are undoubtedly well fixed in popular confidence. No modification nor amendment of the law that would interfere with these features should be countenanced. The preparation and furnishing by some official authority of a uniform ballot, containing the names of all the candidates, is undobutedly a wise and salutary measure. That the individual voter shall have every opportunity to select from all these, free from solicitation, coercion or bribery, the candidates of his choice, and that he may do this in private, and deposit his ballot without interference, are sure advantages secured by the new law.

Hastily adopted as it was, with some incongruous features, it is undoubtedly capable of revision and amendment; and, in some respects, the meaning of its terms should be more clearly defined by amendatory legislation, but in the main the public will tolerate no attempt to repeal or abrogate its salutary provisions. Considerable practical difficulty was experienced by the officers of the commonwealth in the preparation of the necessary forms and blanks required by the act, and other difficulties arose in passing upon the certificates and nomination papers filed in the office of the Secretary of the Commonwealth. Some of the questions thus involved were submitted to and determined by the courts, and in some other cases they were dismissed for want of jurisdiction, and therefore remain undetermined.

Before any more serious difficulties occur over the construction of the disputed and doubtful provisions

of the law, I recommend that careful inquiry be made by the General Assembly as to the respects in which its more palpable defects may be remedied. The meaning and effect of the word "disability," as used in section 27, as the condition which shall permit a voter to have assistance in the preparation of his ballot, ought to be clearly and distinctly defined. Experience in all the counties of the commonwealth has shown that the provision of law for extra tickets is greatly in excess of any popular need, and the number of such surplus tickets might be materially reduced in the interest of economy, as well as the number of booths. Serious difficulties, embarrassing the Secretary of the Commonwealth and difficult of satisfactory determination in the courts, are liable to arise under the provisions of section 2, whereby "any convention of delegates or primary meeting of electors or caucus, held under the rules of a political party, or of any board authorized to certify nominations representing the political party," etc., is permitted to nominate candidates; but what jurisdiction or authority is to determine whether or not such convention, meeting or board is the authorized organ of a regular political party is not set forth with precision or certainty in the law. Under section 3 it is provided that the number of signers to a nomination paper shall be three per centum of the largest entire vote for any corresponding officer at the last preceding election, but by what jurisdiction or authority this shall be inquired into and determined is not stated with sufficient distinctness in the law.

The period of thirty days, provided in the first clause of section 6 for objections to certificates and papers, designed for nominations for the state at large has been found in practical experience to be unnecessarily long, and I recommend an abbreviation of that period to ten days. Uncertainty and variance of opinion prevail as to the distinction between objections "as to

form or apparent conformity or non-conformity," which are to be considered by the Secretary of the Commonwealth, the Auditor General and Attorney General, and "objections as to validity of certificates or papers," which are to be filed in and considered by the court of common pleas of Dauphin county, and I recommend for the consideration of the General Assembly a better definition of these terms than is at present prescribed by the act.

Upon the whole, the "group" system in the present ballot reform law seems to give more general satisfaction than the alphabetical arrangement of the names of the candidates as prescribed in the election law of some of the other commonwealths which have adopted what is known as the Australian system. By a liberal construction of the act, universally acquiesced in and rendered absolutely necessary by the special requirements of a presidential election, the tickets at the last election were printed according to an arrangement of the candidates of each of the several political parties in its own group or column, regardless of whether or not all of these parties had at the last election polled such per centum of the total vote as to give them the distinction of a separate political organization as contemplated by the act. The fourteenth section relating to this subject is susceptible of revision to secure a clearer statement of its real intent and meaning. A simpler form than that presented by our law, of marking the exception to a "group" of candidates in which the party voter desires to cut one or more of the candidates on his straight ticket, prevails in some other states and may profitably be considered with a view to amending the law of 1891 in this respect. In many minor details the act undoubtedly might be properly made the subject of remoulding and revision. The entire subject ought to be approached in a spirit of non-partisanship and to be treated in the light of experi-

ence, so as to secure what all good citizens of the commonwealth approve—an electoral system which will provide a secret and honest ballot, enabling every voter to exercise his franchise with the greatest freedom and independence, suppressing and preventing coercion, interference, bribery or corruption, and securing a fair count and an honest return of the real will of the people after it has been plainly expressed.

In view of the gradual increase in the number of polling places in the state, and the reduction of the number of voters at each poll—much accelerated by the new election law—and, in the light of the experience of many other states, it will be well for the legislature to inquire into the expediency of changing the hours between which the polls remain open. In fourteen states at present, representing all sections, including all New England, New York, Ohio, California, Michigan and Virginia, polls are closed at sunset or earliar, and with two exceptions the hours for keeping the polls open are longer in Pennsylvania than in any other state. The proposition to make the day of the state election a legal holiday has also been mooted in many quarters with much favor.

The express mandate of the Constitution, in the eighteenth section of its second article, requires an apportionment of the state into Senatorial and Representative districts "immediately after each United States decennial census." A regard for the proper relations of the commonwealth with the federal system demands a re-arrangement of the Congressional districts whenever the results of such census disclose a redistribution of the population of the state among the counties thereof. The judiciary article of the Constitution also empowers the General Assembly to constitute separate judicial districts from counties of the requisite population, to provide additional judges as the business may require, and to form counties containing

less population into convenient single districts, or to attach them to contiguous districts. The spirit and meaning of all these provisions are that the state shall be apportioned and the several counties thereof grouped into convenient Congressional, Legislative and Judicial districts, consisting of contiguous territory and homogeneous citizenship and interests, and as nearly equal in population as the circumstances will admit.

The results of the latest federal census were made known before the adjournment of the last regular session of the General Assembly; nevertheless the state has not been apportioned with due regard to its interests and to the considerations I have stated. Under the constitutional system of apportioning the members of the House of Representatives, the least difficult scheme of distribution is that provided for the popular branch of the General Assembly. I felt constrained to disapprove an act for this purpose, passed by the last legislature, for reasons sufficiently stated in my objections filed thereto. In that document I anticipated the next General Assembly would have an opportunity to apportion the state into Legislative districts, "and to provide a consistent and uniform system of representation for this decade." I adhere to the views therein expressed, that the intendment of the Constitution towards single representative districts should be regarded, but, if it is to be applied to some counties, it should be consistently adhered to; compactness and contiguity, together with evenness and equality of population, should be the tests applied in running the lines by which the larger counties are sub divided. I trust that considerations of fairness and equity will govern the General Assembly in dealing with this subject; and, in view of the discussion it has already received and of the differences which have been found hertofore to exist between the Legislative and Executive mind on this subject, I suggest that the represen-

tatives and all other apportionment bills be considered at the outset of the pending session.

The present apportionment of the state in Senatorial districts was made in 1874, after the adoption of the new Constitution. By express terms it was intended to continue only until the next United States decennial census should be taken. The census has been twice taken within the eighteen years since elapsed, and, notwithstanding the great existing disparities of population and inequality in the districts, no change in the Senatorial apportionment has been effected. It is needless to inquire as to the responsibility for this state of affairs or to discuss the considerations which have induced its continuance. The mandate of the Constitution has been disregarded, its spirit has been grossly violated, and the people are defrauded of their rights by a failure to reapportion the state into Senatorial districts. The original apportionment contained some glaring inequalities, but these have been greatly magnified by the changes in population and the redistribution of the people of the commonwealth around new centers of population.

For example, the Twentieth and Twenty-first districts originally comprised Luzerne county, whereas, since 1874, the county of Lackawanna has been organized and cut off from Luzerne upon lines differing entirely from those which formerly divided the two Senatorial districts. Lancaster county with 149,095 population, contains two Senatorial districts, while Luzerne with 201,203 population, does not comprise one district in its entirety. Lebanon county with 48,131 population, Delaware with 74,683, Crawford with 65,324, Bucks with 70,615, each constitute a single district; while Berks with 137,327, Luzerne with 201,203, Lackawanna with 142,088, McKean, Potter and Tioga, comprising the Twenty-fifth district, with 121,954, and Westmoreland with 112,819, each comprise a Senato-

rial district. The Twenty-second district, comprising Pike, Monroe and Carbon counties, has, under the last decennial census, 68,147 population; while the Twenty-fourth district, composed of Lycoming, Sullivan, Montour and Columbia, contains 134,676. The Thirty-first district, containing Mifflin, Juniata and Perry counties, has 62,937; while in the adjoining Thirty-fourth Senatorial district 141,519, grouped in the counties of Clearfield, Centre and Clinton, are required to form a district represented by one Senator.

It only needs a statement of these comparisons, which could easily be continued further, and a glance at the lines of the map to prove with what ruthlessness the rights of the people are violated and all considerations of fairness and equity ignored in continuing the present Senatorial apportionment. No conditions can justify a system under which it requires, in one section of the state, to secure Senatorial representation, four times the population which is required in another. The command of the Constitution is that the Senatorial ratio shall be ascertained by dividing the whole population of the state by the number of fifty, and the districts shall be "of compact and contiguous territory as nearly equal in population as may be." These requirements and considerations are not met by adjoining districts, each made up of contiguous counties, the one containing more than double the population of the other. The Senatorial ratio of about 105,000 need not be so violently extended or contracted as in the present apportionment. I urgently recommend the attention of the General Assembly, at the outset of its deliberations, to this long neglected subject.

Notwithstanding the census of 1890 disclosed much shifting and variations of population among the interior counties of the state, as compared with the census of 1880, the act of 1891, organizing and defining the Congressional districts of Pennsylvania, was substan-

tially a reenactment of the apportionment of 1887, which had been based on the census of twelve years ago, with the additional allotment of Pennsylvania's two new members, one each to Philadelphia and Allegheny county. On that account it met with my disapproval. Under the last decennial census the Congressional ratio was ascertained to be 175,267, and in the districts made by the apportionment of 1891 the variation ranged from 46,363 less than a ratio to 70,479 more than the proper standard of apportionment. Admitting that the city of Philadelphia was fairly entitled to one of the additional members, and to be arranged into six Congressional districts, comprised as it is of thirty-seven wards with numerous streets, convenient for running the lines between the different districts, no necessity exists for the gross differences in population between its several districts which mark the bill of 1891. I venture to indulge the hope that the present assembly will undertake "in a spirit of fairness and freedom from the spirit of partisanship, to frame districts as nearly equal in population as practicable," and I stand ready to co-operate with the legislative branch of the government in its effort to form Congressional districts of compact and convenient arrangement among the several counties of the state.

The considerations which control the mind of the Executive, and which, in my judgment, should govern the General Assembly, in the erection of new Judicial districts, or in the re-arrangement of those existing, have been sufficiently set forth in my statement of objections to House bill No. 208, of the last General Assembly. I have seen no reason to change the opinion of my predecessors, reiterated in my own communications to the legislature, that an undue increase in the number of judges of the Commonwealth does not enhance their efficiency or promote the dignity of their office.

Since the close of the last session of the General Assembly, in one of the commonwealths of the union a law has been enacted and has had the sanction of the supreme tribunal of the country, providing for the apportionment of the state into electoral districts so as to secure, in the electoral college, for the choice of President and Vice-President of the United States, a more direct representation of the people. The choosing of presidential elector by representative districts, except in the case of the electors-at-large, conduces, in my judgment, to equity, and an even distribution of political power. It conforms to the purpose of those who founded our political institutions and who devised the scheme of an electoral college. It breaks up and disperses the undue controlling power of a few closely contested states, and, if generally adopted by the several commonwealths, would, in my judgment, promote the freer choice by the people of their rulers and a more certain and effective expression of their will.

The Superintendent of Public Instruction reports the year ending June 6, 1892, 977,528 pupils in schools, an increase of 8,022; the number of schools, 23,436, an increase of 322; the number of teachers, 25,339, an increase of 414. The total expenditures, including that upon buildings, are $14,329,140.46, an increase of $810,431.48. The estimated value of school property is $40,242,664.00, an increase of $4,404,077.00. The state appropriation for 1891, 1892 was $2,000,000.00. The appropriation of $5,000,000.00 made at the session of the legislature of 1891 was not available until the first Monday of June, 1892. The effect of this liberal appropriation does not, therefore, appear in the results of this year. The liberality of the people, through their legislators, has contributed to arouse an unusual activity in this department.

Marked progress has been made in the number of districts where free text-books have been introduced.

The time has come for a general introduction of free text-books in our state. Under it school books will be furnished free to all pupils. It would enable each district to purchase books best suited to its community. Under the present system the purchase of school books is quite a burden to many parents. The expenditure annually in the state is not less than $800,000. By the use of free text-books, every pupil, as soon as his name is known to the teacher, would be supplied with all the necessary books, and many of the excuses now advanced for the non-attendance of children upon the public schools would disappear. Experience has shown that wherever free school books and supplies are furnished, the attendance has increased, the system thus serving the good purpose of compulsory education and avoiding its objectionable features. I recommend legislation to the end of securing free text-books everywhere.

While the city and town schools have advanced under the improved system of education, supported by the liberality of legislators, the rural schools have not been characterized by the same advancement. In many districts children pass the country school house on their way to the town to secure advantages they are not able to get in the country school house. I recommend the consolidation of two or more of the rural schools into one strong institution well equipped and with compensation offered to teachers to secure the talent equal to a town or a city school. The advantages of our town and city schools are admitted. If the benefits derived from these are of the value we claim for them, then the same opportunities should be afforded to the rural schools.

The Superintendent of Public Instruction reports that the twelve State Normal schools have won the confidence and support of the public to a degree that has made their usefulness almost inestimable. There are gathered annually in these institutions about 8,000

of the teachers of the commonwealth. The moral social and intellectual influence exerted by them directly and through their pupils and teachers is immeasurable. They have been influential in elevating the character of public instruction. The state normal schools have vindicated the wisdom of the liberal policy pursued towards them by the commonwealth.

Your attention is again called to the basis upon which the distribution of the funds for our common schools should be made. The law which determines the data upon which the state appropriation is distributed should be changed. With the liberal appropriation of $5,000,000 made by the state the reasons for the change become more urgent. The distribution is now made on the basis of taxables, the department receiving a list every three years. It should be, however, on the basis of the average number of school children in attendance. This can be accomplished very easily. All teachers are now required to report the average number in attendance. They can still further be required by law to hand a certified list of the same to their respective boards and the officers of the board can forward affidavits of the same to the Department of Public Instruction annually, and thus the necessary data will be always at hand. This would make the distribution more equitable and adapted more directly to the changing needs of the school. At the same time it would greatly encourage efforts to secure a larger attendance throughout the commonwealth. In this connection your attention is called to the imperfect method of ascertaining the number of children not attending schools of the state. Indeed, there is no effective method. The figures given in the reports are the merest guess. I therefore recommend legislation for the annual enumeration of the children of the commonwealth of school age.

The progress of the schools of the commonwealth

and the interest taken by the people through their representatives is especially manifest in the increased appropriation from year to year. In 1850 the total expenditure for the common schools by the state was $164,620; now the expenditure by appropriation is $5,000,000. With free text-books, enthusiastic performance of duty on the part of more than 15,000 school directors, an army twice the size of the National Guard of the state, and a law making distribution of the appropriation for schools on the basis of the average number of school children in attendance, we will indirectly have a compulsory system of education far more potent than the staff of the constable or the mandate of the justice of the peace.

The public printing and binding are the subject of much complaint. The act of 1885 provides "that the person or persons to whom the printing and binding shall be allotted shall be at all times ready to execute the printing in a neat and workmanlike manner with the utmost dispatch." The public printing and binding are not only not done with dispatch, but much delay attends the work, causing serious embarrassment to the heads of the several departments. The annual reports, in some instances, are not in the hands of the heads of departments for distribution until the manuscript of subsequent years is ready to be issued. Coming so late they are of little value to the officers or the general public. Legislation should be had to secure the more immediate printing of the public documents and giving authority to enforce severer penalties for failure to perform the work in time to be of immediate service. Especially have the manner and time of printing the Legislative Record occasioned complaint and scandal. The printing of public documents should have priority in the printing department of the state over all other matter. The

public printer with contracts for private matter delays the publishing of public documents because of precedence being given to private contracts. I recommend that the State Printer be required to give priority to all public documents. As an illustration of the delay complained of, it need only be noted that the editions of Smull's Hand Book for 1891 and 1892 are both reported as being printed in the fiscal year ending June 30, 1892. The Life Insurance Report for 1891 and 1892 appear the same year ending June 30, 1892.

The present system of adjusting the cost of printing inevitably invites extravagance. For the year ending June 30, 1892, the cost of printing and binding foots up the sum of $241,883.65. This was a year when there was no session of the Legislature. There is no fixed appropriation to pay the cost of printing. It is without limit, and it simply authorizes an appropriation "of so much money as may be necessary." I again recommend that the state printing appropriations be guarded by enactments distinctly fixing the amount to be expended by each department; the appropriations to be made to each department for the printing of public documents in a given sum, and paid only upon warrants drawn by the departments, and vouched and audited by the Auditor General in the usual manner.

During the year the State Board of Health has rendered efficient service in staying epidemic and contagious diseases. It very early made preparations for measures of defense against the invasion of Asiatic cholera. By circulars, public notices, and proclamations, its members inspired a spirit of caution in local authorities which, in the event of the presence of the pestilence, would have enabled them more successfully to have combatted it. Under existing laws, the board is somewhat embarrassed by insufficient authority in legislation, and its members are anxious to be fully equipped for the future. It is recommended that au-

thority for the sanitary organization of the state be extended to the rural districts, thus giving to every portion of the state some legally constituted local health authority. The compulsory establishment of boards of health in all cities and incorporated boroughs, the protection of the purity of water supplies and provision by appropriation for a fund to be known as an emergency fund to meet extraordinary cases, are urgently recommended. I invite your consideration to the propriety and practicability of legislation providing for the incorporation of sewerage companies and to confer upon such organizations, as well as upon water companies, the right of eminent domain.

In this connection I call your attention to the fact that we have no law in this state providing for the registering of births and deaths. This is a question engaging the attention of scientific and professional men, and its importance need only be mentioned in order to receive your consideration.

Your attention is again called to the laws governing the Lazaretto Station. The provisions of the health law of 1818, prepared at a time when steam and telegraphs were unknown and when commercial methods were far different from the present day, have become antiquated. Among these provisions is the so called "outside channel fee," a necessity for which has long since passed away. By it, for a visit from the Lazaretto physician to a vessel of one hundred and fifty tons burden and upwards in the outside channel, a fee of five dollars is charged. The act imposing this charge was passed years ago when the physician made his visit in a row boat and received perquisites for his compensation. Two dollars of the fee were paid to him, and one dollar to the quarantine master for their extra trouble in being rowed over the extra distance, and the remaining two dollars went into the city treasury. Both officers are now paid a fixed salary.

Provision should also be made for the release of certain American ports from quarantine restriction, when, in the opinion of the legal authorities, the public safety may require it. Now, a quarantine duty is exacted from the ports in Florida and the Gulf of Mexico through the entire year. In view of the present improved sanitary condition of those places and the general custom of other important ports of the North Atlantic station, the imposition of quarantine restrictions should be lodged with the local board of health. Such a change would remove unnecessary burdens on vessels coming to Philadelphia.

There is a widespread belief that the epidemic of cholera, which threatened our country during the summer of 1892, will visit us during the coming year. By herculean efforts on the part of the nation and the state we escaped this dreaded disease. It becomes of the utmost importance that every preparation be made to resist it should it again appear. The authorities should not for one moment relax their efforts. Much will depend upon a perfect quarantine system. The port, quarantine and health laws of Pennsylvania are imperfect and confusing. All of the existing laws relating to these subjects should be repealed and a uniform quarantine law and health code enacted. Under existing laws neither the state nor the city health officials have their duties and powers clearly defined. The result is constant confusion, disagreement and complication which always are to the disadvantage of the state. If a new code of laws should be enacted I suggest that provision be made for only one officer to be designated as the port and quarantine physician, with such assistants as may be deemed necessary, and to be in continuous service the entire year; the quarantine season to be from June 1 to October 1, of each year, and when deemed necessary the time to be ex

tended by the proclamation of the health officer under the authority of the executive.

The act of 1887 regulating the practice of pharmacy would be rendered more effective by amendment. Section 11 of this act provides that "any graduate of any accredited medical college who has had not less than three years continued practice since the date of his diploma, and who is registered as a practitioner of medicine or surgery, may be registered under the Pharmacy Act without examination, and be granted a certificate to all the privileges under the provisions of this law." The special training required by the pharmacist can only be had after a term of apprenticeship or a college course, and even after he is required to pass an examination. His college certificate does not carry with it the same force and effect as the diploma and experience of the physician. It is recommended that section 11 of the act of 1887 be repealed so as to place the demands of registration for all applicants under the pharmacy act on the same footing.

Your attention is called to the condition of the laws providing for the ventilation and regulation of the bituminous coal mines of the state. At the last session of the legislature a very full and complete law was enacted for the health and safety of persons employed in and about the anthracite coal mines of the state. This act has given general satisfaction and brought about gratifying results as to the health and life of the employes. During the session a commission was appointed to revise the mine laws and ventilation acts relating to the bituminous coal regions of the state and to report a bill. After much labor and investigation the commission brought in a bill which was regarded as the most effective act which had been presented to the legislature. It failed, however, of passage, possibly by reason of the late hour of its introduction. The numerous accidents which are constantly occur-

ing in the mining districts call for aid, as far as legislation can go, in preventing their recurrence. There were reported for the year 1891, 187,250 employes in the anthracite and bituminous coal regions of our commonwealth; 79,000 of whom are miners, and the others are employed in and about the mines. During the year 653 fatal accidents were reported; 1,330 injured; 317 wives were made widows and 816 orphans left. The greater number of accidents reported occurred in the anthracite regions. Surely every effort should be made to protect the men engaged in adding so much to the wealth of the state. There is no doubt that the legislation already enacted has contributed to their safety. The consideration of the bill recommended by the Bituminous Coal Mining Commission commended to your attention.

Loss of life and property during the last three years by the breaking of dams constructed across our streams has suggested the necessity for legislation looking to their maintenance and regulation by the local authorities in their immediate neighborhoods. The damages reach, in many instances, over such an extent of territory as to compel the state to contribute to the relief of the sufferers. In the first instance, if the duty were imposed upon each locality to provide proper safeguards and inspections, the general danger would be very much reduced, and in most cases entirely avoided.

It should be required that the breast of every water receptacle in the state be made strong enough to withstand any assault by rain or flood. Cloud-bursts have been very frequent of late. They are likely to occur during hot seasons anywhere in this part of the country, and unless proper provisions be made we will have repeated the experience of Johnstown, Titusville and Oil City.

Your attention is also called in this connection to the

destruction of the forests on vast areas of the watersheds of the streams of the state, which have been denuded of their growth, leaving nothing in their place. While much has been accomplished by efforts to encourage tree culture through Arbor Day exercises, there yet remains much to be done in this direction. Our health, the preservation of the streams and the prevention of destructive floods alike demand consideration of this important subject. Experience has demonstrated that reforesting restores dried-up streams and make habitable tracts of country from which inhabitants have been driven by floods.

The Board of Commissioners of the Geological Survey, created by the act of May 17, 1874, has about completed its labors. The purposes of the geological survey were to make such investigations as were necessary to thoroughly inform the public upon the geology of the state, and to publish the results in a convenient form for reference. Since the creation of the board there has been expended in appropriations the sum of $643,000.00 for field and office work of the survey, and for printing, binding, map preparation and paper, $946,491.24, making a total expenditure of $1,589,491.24. The work of this commission is embodied in eighty volumes of reports, thirty-seven atlases and five grand atlases. This completes one of the most important and useful works which has been accomplished in the history of the commonwealth. The very interesting geological library, collected by the Geological Commission, has been transferred to the State Library at Harrisburg, where it is now being arranged and catalogued for convenient reference.

The interest taken by the federal government in the improvement of the harbor at Philadelphia, and the large expenditures of money by the United States in removing obstructions to commerce in the Delaware river, with the ultimate idea of extending both the

bulkhead and port wardens' lines, is well worthy of the attention of the General Assembly. Measures such as these, looking to the larger facilities for commerce at the chief port of entry in our state, merit the co-operation of its authorities and the interest of all its people. The present anomalous system under which the state appoints the master warden, and the city of Philadelphia and the adjacent counties appoint the port wardens, and the separation of the office of harbor master from the department of port wardens, are incongruities that need legislative attention and remedy. I am of the opinion that a more advantageous system of supervising the port, and one in no manner detrimental to the local interests of Philadelphia, would result from such reorganization and consolidation as would invest the state with entire and absolute control.

A dispatch was received at six o'clock on the morning of April 2, 1891, at the Executive Mansion from the sheriff of Westmoreland county stating that in a local disturbance in his jurisdiction seven persons had been killed and twenty-one wounded, and that he had exhausted the civil authority, and was unable to suppress the disorder. I immediately wired him for particulars, and about nine o'clock the details were received, when I ordered the Tenth and Eighteenth regiments to the support of the sheriff. The two commands reached Moorewood at one o'clock on the night of the day of the rioting, and order was almost immediately restored. The people, however, were so much alarmed by the disorder that the troops remained there several weeks, until confidence was restored and peace assured, when they were withdrawn. In this emergency, after the arrival of the National Guard, neither life nor property was destroyed. The cost for the suppression of this disorder was $35,350.13.

The following year, July 6, 1892, the sheriff of Allegheny county telegraphed at ten o'clock in the morn-

ing that the situation at Homestead, where a collision, with fatal results, had already occurred between "striking workingmen" and "armed deputies" and "watchmen," was very grave, and that the civil authorities were utterly unable to cope with the rioters, and requested that representatives be sent. I telegraphed him that the local authorities must exhaust every means at their command for the preservation of the peace. The sheriff again repeated the substance of his first telegram, whereupon I asked for the particulars as to what measures he had taken to enforce order and protect property. He responded that he had personally visited Homestead and had sent twelve deputies to the scene of disorder. I sent word to him on the same day that his telegram indicated he had not made due effort to enforce order, and I must insist on him calling upon citizens for an adequate number of deputies. While these telegrams were passing between the sheriff and myself, I had directed three officers to report upon the situation. One of these officers, a member of my staff, in whose judgment I had the utmost confidence, reported that the sheriff was then about to make some effort to suppress the disorder, and that the best judgment concurred in the unwisdom of sending troops at that time. On the next day, July 7, the sheriff repeated in substance his dispatch of the 6th, in which he stated that his six deputies had been increased by thirty-two, and that they were to report on the morning of the 8th.

On the same day, July 7, I received a telegram requesting an interview with a committee of citizens. I replied by telegram that I would be in Harrisburg to meet them. The committee of citizens reached Harrisburg at 10 o'clock p. m. With the Attorney General I heard them. After a hearing of two hours I said to them that I should insist upon them returning to Homestead and assisting to restore order, to return

possession of all property in the hands of disorderly people to the owners thereof, and to prevent any interference in the enjoyment of individual rights; further that if this was not done promptly I would direct the entire military force of the commonwealth to proceed to Homestead, and if this was not sufficient I should ask for aid from the federal government, and that they might as well realize there could be but one result in such a collision. They were earnest in their declarations to support the commonwealth, and left Harrisburg avowing their purpose to do all in their power to assist in the restoration of order.

In the meantime no communication was received from the sheriff, and all the telegrams and other advices which reached me indicated that no troops were necessary. Meetings were held there on Saturday, the 9th, and Sunday, the 10th, to bring about results which the members of the visiting committee gave assurance would be accomplished. I believe they were sincere in their efforts; but, in their absence, the violent and disorderly had secured control, and they were unable to accomplish what was so much hoped for.

On Sunday night, July 10, about nine o'clock, I received a telegram from the sheriff of Allegheny county, his only message since the receipt of his last telegram of the 7th, and his first direct call for assistance. Immediately I directed the Major General commanding the division to move the troops at once to the support of the sheriff. Two brigades of the National Guard moved with exceptional celerity and reached Homestead early on the morning of the 12th. As at Moorewood, their presence was sufficient. The sheriff was supported, order was restored, and the civil authorities were put in control and the troops were withdrawn without further loss of life or the destruction of property. The total cost to the state in this emergency was $430,056.88. The item referred to in the Treas-

urer's report includes payments made up to December 1, 1892.

Here I think it extremely appropriate to repeat to you the words of one of my distinguished predecessors, whose wise, cautious and conservative administration of the affairs of the state supplemented his brilliant achievments as a soldier, General John F. Hartranft. In addressing the legislature of 1878, after the railroad disturbances of 1877, he said:

"I have repeatedly represented to the people the reluctance with which the executive resorts to military power, and urged upon the legislature the necessity of devising some means of fixing the responsibility of suppressing local outbreaks upon the local civil authorities. At present any sheriff or mayor can escape under the ambiguous provisions of the law, without having made a single honest effort to preserve the peace. As a consequence, there is growing a pernicious tendency to rely upon the state. It has even been curiously argued that the arrival of the state troops supercedes the local civil authorities, and thereby suspends their functions as peace officers, and relieves them of all responsibility. The military is called in to aid, not to supercede, the civil authority. It would be a strange construction of the law by which the desertion of their sworn duties by the peace officers of municipalities would make the state authorities, who answer their call for aid, responsible for outrages committed by a mob in a policeless city.

"The office of sheriff was formerly one of dignity and power; it has degenerated, standing without change in new conditions, until its main duties are those of jailor and auctioneer. Some means ought certainly to be taken to cloathe the office with its original importance and responsibilities. If, upon the written request of a certain number of competent freeholders of any city or county, having the qualifications to assure their

standing and respectability, it was made obligatory upon the mayor or sheriff, under penalty of forfeiture of office, and fine or imprisonment, or both, to summon a sufficient number of citizens to lay aside all business, and serve under like penalties. I am satisfied that many disturbances which now require the interference of the military, could be settled without its use. Any citizen of the commonwealth can now be compelled to leave his business and travel its length or breadth in the interests of justice; surely, the preservation of order and the protection of life and property will justify the exaction of the same service of a citizen within his own county. Such a law would also serve to fix the status of the inhabitants of the county. All who were loyal to the laws would at once respond; those who refused would thereby indicate their sympathies for the rioters. If such an attempt should fail, the sheriff or mayor, or in default of these officers, the citizens themselves could, with reason, call upon the Executive, and no question, so far as the state was concerned, could be raised as to the necessity for the use of troops.

"The people have, happily, been so unaccustomed to the use of troops to enforce the laws that much misconception exists regarding the real position of the military power in the polity of the government, and the relative duties of citizens and soldiers.

"A simple statement of these relations may enable the line between the friends and the enemies of law and order to be drawn hereafter with precision and advantage. For the presence and use of troops the Executive is responsible; of their necessity he is the judge. The law clothes him with that power and the discretion to use it; for its use or abuse he is responsible alone to the representatives of the people. The presence de facto of troops at the scene of a disturb-

ance is prima facie evidence of their presence de jure. Whether they are there by authority or not, whether their presence is necessary or unnecessary, is no affair of the rioters or their sympathizers. The tribunal to decide the question is not a mob, or then, but the legislature or the courts, and afterwards. For the time being it is the duty of the authorities, and all law-abiding citizens to co-operate with them in restoring order or suppressing violence. To resist them by force, upon any pretext, is insurrection or rebellion, and can result only in the final vindication of the law, in anarchy or the subversion of the government."

If this appeal for legislation was urgent in 1878, it is still more so now, after our experience, at considerable cost, of 1891 and 1892. In the case of the county of Allegheny against Gibson, growing out of the riots of 1877, the supreme court said:

"We see no evidence of any serious attempt upon the part of the local authorities to suppress it at the time of its commencement. A feeble attempt was made by the sheriff, resulting in the enrollment of some half dozen deputies. But there was no proclamation calling upon the body of the county to come to his assistance in preserving the public peace. No one doubts at this day that if a proper effort had been made at the proper time the mob could have been held in check. No one doubts that it would have been had the citizens of the county realized that they were responsible for the loss; but the act of assembly, folded away among the pamphlet laws, was probably forgetten or overlooked even by those who knew of its existence. In the end the mob that had defied the military power was put down in the main by the civil authorities, after the citizens had been aroused by a sense of common danger. The law will not tolerate the spectacle of a great city looking on with indifference while property to the value of millions is being destroyed

by a mob. To prevent just such occurrences was one of the objects of the act of 1841. The fact that the state, when called upon, rendered its assistance, and sent a portion of its military to the scene, did not absolve the county from its implied obligation to preserve the peace, nor from its responsibility for a neglect of that duty. Were it otherwise it might be to the interest of a municipality to increase the size of the mob."

Such were the conditions at Homestead. There was really no effort made on the part of the civil authorities to suppress the disorder. The entire community seemed to surrender to the disorderly element. At the beginning fifty determined men, moved by a love of order and a patriotic spirit, would have suppressed this whole disturbance. I therefore suggest to the legislature that the costs incurred in suppressing local disturbance in which the civil authorities call upon the military power of the commonwealth should be placed upon the county calling for the troops. This may be an incentive to local authorities to determined action in the beginning of a disturbance, rather than have their treasury mulcted in a large sum to defray the expenses. At least the state can make some effort to prevent the often hasty and unwarranted call for the presence of troops.

These recent disorders teach us that legal arbitration, upon which we so much relied and in which we had so much confidence, is futile. The State of Pennsylvania has upon its statute books as intelligent and just an arbitration act as could be drawn. The whole differences between employer and employe which existed at Homestead and in the surrounding counties are recited in the preamble of this act. There was no attempt made to appeal to it except that representatives of the National Arbitration Committee appealed to the citizens at the beginning of the disturbance for

an adjustment of the difficulties, but it was without avail. No effort seems to have been made by the contending parties for any adjustment. What then is the remedy? Every effort that has been made in legislation is without results. It is not to be found in teaching greater devotion to our laws and institutions, accompanied with a patriotic spirit, ever maintaining with due courage the individuality of citizenship, so much contended for by our fathers? Without such a spirit our laws will be in vain. If abuses exist, if one citizen is oppressed more than another, the remedy is through the law. We believe that government of the people still lives. The power of the people, therefore, through the ballot, can remedy any evils or abuses that exist. Our fellow-citizens cannot forget that there can be no law without their consent. Resort to violence is destructive of individual rights as well as to rights of property. If the civil authorities fail, which includes the sheriff and his deputies, and constables and police, there is but one resort and that is military authority. There is no intermediate ground. A constabulary or state police could not accomplish any more than the local police. The disturbance which demands military interference is always beyond the control of any civil officer. This has not only recently been demonstrated in our own country, but in foreign countries. Repeatedly abroad, in England and Ireland, where the government police have been called to prevent or suppress disturbances and have failed, the military have been found necessary to suppress the disorder and have invariably been relied upon.

In this connection legislation should be had looking to the prevention of the introduction of armed bodies of men, without the consent of the authorities of the county or state. The State of Pennsylvania has already a "state police" in the coal and iron police. Railroad companies, manufacturing companies and

mining companies, upon application to the Executive, with the nomination of the officer, can have commissioned a watchman or policeman, who must be, however, of good character and well-endorsed. His commission issues from the office of the Secretary of the Commonwealth, and is recorded in the office of the recorder of deeds in the county or counties for which he is appointed. With such authority there is no necessity for any company or corporation introducing armed men who are not citizens of the state and who are unknown to its officers or to its authority.

I recommend that severer penalties be imposed for the interference with individual rights of person or property, either by threats, intimidation or violence, covert or open.

Recent attempts upon life and property, by the use of powerful and dangerous explosives of modern discovery, reveal the inadequate provisions of the state laws for the regulation and control of these agencies of the evil-minded. Stringent laws for the sale and reckless storage of gunpowder, a much less dangerous explosive, have been enacted, but they do not include nitro-glycerine and dynamite. I recommend that measures be adopted governing their sale and storage. Such legislation would largely tend to lessen the dangers to which the public are now subjected from them.

Since the reorganization of the National Guard its members in their armories, at the annual encampments and upon public occasions, have manifested zealous obedience to the Constitution by their organization and discipline. It remained, however, for them in prompt and patriotic response to the call of their state in the hour of trial to demonstrate that by thorough preparation, inspired by true military spirit, they had been fully equipped for the more serious duty of the soldier. The discretion and intelligence which characterized the officers and privates attest their thorough

efficiency and high character. Passing a rigid inspection by their own officers, they have been still further honored by complimentary reports of the United States army officers, detailed to be present at their inspection. Colonel William J. Volkmar, Assistant Adjutant General of the United States army, in his report, says:

"The guard has the necessary organization, the personnel, the discipline and drill to render it a formidable fighting unit. Newly equipped it could take the field certain of making the lasting reputation of officers entrusted with its command. I desire to bear witness to the earnestness of the soldiery of Pennsylvania in thoroughly learning what military duty really means, and in doing it. It is not yet anything like a perfect machine, but is trying to become one, and may well serve as a model to other commonwealths. In the higher grades it is officered by veterans of the war of the rebellion who are now teaching a new generation of soldiers how to appreciate and apply military knowledge of to-day."

In consequence of their unusual service I deemed it expedient to revoke the order for the annual encampment. The aggregate force of the National Guard is 7,934 enlisted men, and 629 commissioned officers. Of this 6,529 are qualified marksmen, including 727 sharpshooters. This is a very gratifying condition of the rifle practice of the guard. From 705 qualified marksmen in 1883, they have increased it to what now represents three-fourths of all the men. The troops are distributed in halls and armories throughout the state. Sixty-two commands are quartered in buildings erected for armories. The titles to the armories are held by stock companies, associations or syndicates of members. Upon inquiry I have ascertained but three armories reporting the use of state funds in the construction. I would suggest in the construction of armories in the future, where state funds are used, that

before the allowances are paid, the title of the armory be placed in the name of the commonwealth. The possession of these armories may at some time become of importance to the commonwealth.

The active service during the summer has seriously impaired the equipment of the guard. Indeed, much of it will have to be replaced. I commend to your consideration the suggestions of the Major General commanding the division, and of the Adjutant General, which will be found in detail in their respective reports.

The support and visitation, the management and control of the penal and eleemosynary institutions of the state continue to be subjects of much governmental concern and popular interest. The large appropriations made at each session of the General Assembly for the construction, improvement and maintenance of such institutions, make them a material interest of great significance in relation to the expenditures of the commonwealth, but in the broader humanitarian view, they are of vast moral concern. The lavish grants of public money for these agencies to relieve suffering, to heal the afflicted, shelter the helpless, and to protect or improve the condition of the infirm, are not grudgingly given by a benevolent people. Moneys expended to punish malefactors are wisely expended to protect society from the ravages and to deter the evil-minded by their example. But the citizens and tax-payers have a right to expect humane, intelligent and practical supervision, and firm and rigorous management of our hospitals and penitentiaries. The unselfish and disinterested labors of the worthy gentlemen who compose the Board of Charities, and the boards of the various institutions under their supervision are felt in the steady attainment of greater uniformity and improved methods, and in the adoption of those principals of management which the best modern experience at home and abroad has tested and approved. The re-

ports of these boards are prolific of suggestions alike by the results shown and by the recommendation made. That of the Board of Public Charities, to which I especially invite your attention, exhibits the over-crowded conditions of the state insane asylums. They average about twenty-five per cent. more inmates than their recognized capacity. No serious damage has, however, resulted from these conditions; and the provision for the chronic insane elsewhere referred to, and the recommendations of separate provision for the criminal insane, would tend to reduce the present overcrowding. The conversion of the ward dining rooms existing in some of the older institutions into dormitories, and the erection of large dining halls for inmates, are measures which meet the approval of the Board of Charities. The overcrowded condition of many of the prisons and penitentiaries has suggested the separation of prisoners awaiting trial, and first-term convicts from confirmed criminals, a sepration which would also seem to be in accord with moral considerations. Severe treatment of hardened criminals, the imposition of labor on sentenced convicts, and the establishment of prison districts for a number of counties, are projects which have the commendation of the board, and merit the attention of the legislature. The development of the reform system for youthful delinquents, as exemplified in the operations of the Morganza school, and the Huntingdon reformatory, has been attended with abundant results for good; and the scientific, rather than sentimental treatment of the inmates of these institutions, has produced results to justify the expectations of advanced penology, with reference to this system for youthful first offenders.

In a number of commonwealths, supposed to be less advanced than our own provision by law has been made for insuring to insane females, in transit to hospitals or other institutions, the escort of a suitable at-

tendant of their own sex. The suggestion that a law having this purpose should be enacted by the General Assembly seems to be in accord with a fit regard for an especially helpless and dependent class of unfortunates.

Nearly twenty years ago a commission of representative citizens commanded special hospital accommodations for the criminal insane; and should the state of the public receipts and appropriations warrant such expenditure, the establishment of an institution for this purpose would not be inconsistent with the scale and system upon which our commonwealth has provided for its insane, separating them into different institutions, each especially adapted to the wants of its class.

The humane and philanthropic project of establishing a state asylum for the chronic insane, made possible by the liberal provision of the last Legislature, has been carried forward by the commission appointed for that purpose. A fit site was found near Wernersville, Berks county, along the line of the Lebanon Valley railroad. The buildings are in course of erection and will be finished within the coming year. When completed they will have the best approved modern conveniences and accommodations for eight hundred patients. Their total cost will be kept within the legislative appropriation. While they will be complete in themselves, the grounds purchased, the site chosen and the arrangement and design of the structures, have not been without consideration for the practical extension of the idea which led to the founding of this institution. If the experiment of thus providing for the chronic insane shall prove an entire success, the best interests of the unfortunate class for whom this asylum is designed may suggest and justify future appropriations for an enlargement of its capacity.

With commendable vigilance the members of the

commission having charge of the soldiers' orphans have performed their duty. By personal inspection, examination and unceasing attention they have added to the moral, mental and physical condition of those under their care. The three schools now contain 527 children. These are maintained and educated at an annual cost of $140 per capita. In 1883 the legislature enacted a law providing "that no admission shall be granted to any of the soldiers' orphan schools or homes after June 1, 1887, and all schools or homes shall close and all children shall be discharged from said institutions on June 1, 1890." When the commission, under the act of 1889, reorganized the schools, assuming control, there were under the charge of the state 1,788 children. By this act provision was made "for the proper care, maintenance and education, at the expense of the state and until the age of sixteen years, of the soldiers' children now in the several soldiers' orphan schools in the commonwealth." By graduation and withdrawal these have been reduced to 527, and it is estimated by September 1, 1893, the number will not exceed 400. With this number the commission believe the per capita appropriation will have to be increased. Realizing the necessity of a change in the system of education pursued in the schools, they have recently visited the leading industrial schools of the country, and, after careful inquiry, have reported in favor of the adoption of industrial training in connection with the management of the schools. Such a system has given eminent satisfaction in other states, and I commend their recommendation to your consideration.

It is very gratifying to report the satisfactory progress which has been made in the direction of a home for the training in oral speech of deaf children before they are of school age. The last legislature appropriated $15,000 for the building of a home, and constituted a commission to superintend its construction.

This commission was authorized to procure, by purchase or gift, sufficient amount of real estate for the purposes of the home. After much effort the commission felt that it would be impossible with the sum appropriated to secure a site desirable for such an institution, and were about to report their conclusions to the legislature, when a generous citizen of the city of Philadelphia, Joseph M. Bennett, presented to the commission a piece of ground situated on Belmont avenue and Monument road, adjoining Fairmount Park, Philadelphia. To his first gift he added a second piece of ground adjoining the tract first presented, which is beautifully located, admirably fitted for the purpose and valued at $10,000. Relieved of their difficulty the commission advertised for proposals for a building, and were disappointed in finding that the lowest bidder was more than $2,000 in excess of the sum appropriated, when again the generous contribution of citizens raised a fund sufficient to meet the excess over the appropriation. All financial embarrassments having been removed, the commission entered into a contract for the erection of a building, and work is now proceeding. When finished it will accommodate about forty children.

The act establishing the Insurance Department of Pennsylvania, passed 1873, provides in the fifth section that "whenever the Insurance Commissioner has reason to believe that any insurance company of this state is insolvent or fraudulently conducted, or that its assets are not sufficient for carrying on the business of the same, or during any non-compliance with the provisions of this act, he shall communicate the fact to the Attorney General, whose duty it shall then become to apply to the supreme court or the district court or any court of common pleas in this commonwealth, or, in vacation, to any of the judges thereof, for an order requiring said company to show cause why their business should not be closed."

This wise provision has been made ineffective as to many of the mutual companies by reason of the legislature failing to fix a standard by which the solvency or insolvency of these companies may be measured. To this defect in the law can be traced much of the wrong perpetrated by some of our Pennsylvania companies.

The sixteenth section of the same law exempts certain mutual fire companies from the provisions of said act, and places them practically beyond the supervision of the Insurance Department of the State. This section should be repealed. There is no reason why mutual companies should not be subject to the same supervision and control as other fire insurance companies.

In this connection your attention is called to what is denominated the "fire waste" of Pennsylvania. In 1891 it amounted to more than $7,000,000. This year it will reach the same figure. This great waste is made still more apparent when we consider that the average estimate of the destruction of values in the United States from this source has now reached the annual sum of more than $100,000,000. It is alleged by those who gave given the subject careful investigation that a large percentage of this annual drain on the material resources of our state is caused by incendiarism and faulty and criminal construction of buildings. Certainly such an imperilment of the wealth of the state calls for an effective remedy. The Insurance Commissioner in his report says "a law providing for legal inquiries in to the cause of all fires by an officer specially designated for that purpose, with such protection as shall protect the honest insurer from unnecessary trouble and annoyance, and for the more certain prevention of faulty and criminal construction of buildings, and which will place a larger share of the responsibility of protecting his own and his neighbor's

property from destruction on the property owner, whether he be insured or not, is, in my opinion, the only practical solution of the question."

The importance of the department over which the Commissioner of Insurance has supervision will be apparent from a consideration of the following statistics relative to the volume of business transacted in this state:

The fire insurance companies doing business in Pennsylvania have a capital stock fully paid up and legally invested of $51,710,221.23, and gross assets amounting to $234,955,863.21. On the 31st of December, 1891, the same companies had on their books $15,901,355,612.00 of insurance in force, and they paid to the citizens of Pennsylvania during 1891 losses aggregating $6,658,-144.04.

The capital stock of the life companies represented in this state amounts to $11,208,750.00, and gross assets of stock and mutual companies to $871,362,651.70, and the total amount of insurance in force to $4,335,-714,764.00. They paid during 1891 to the heirs of deceased policy holders in Pennsylvania, $6,967,347.34.

The long delays suffered in the adjustment of the affairs of insolvent insurance companies and the great injustice to the creditors should receive your consideration. Some of these companies are reported as having been in the hands of receivers for a period of more than twelve years and the time of final settlement appears as remote as at the beginning. These creditors are at best in an extremely unfortunate position. They have either been deprived of their natural protector or have suffered the loss of their property, and their unhappy condition makes their interests a special subject for your attention. The State of Massachusetts, as a remedy for this evil, has enacted a law making the Insurance Commissioner the receiver of all dissolved insurance companies, without compensation therefor,

except the necessary actual expenses incurred in settling the estate. This act has worked very beneficially to the people of that commonwealth.

Your attention is called to the wrongs perpetrated by what are denominated "short term orders," under the passive sanction of the laws of this state. They are incorporated under the ninth paragraph of the 2d section of the general corporation act of 1874. The legislature should clearly and accurately define the powers of these beneficial associations. The words of the act "for beneficial or protective purposes to its members from funds collected therein," are deceptive and misleading, and ought to be so amended as to prevent their use for the purposes to which they have been frequently applied in the state, and the abuse of which is now the subject of litigation, at the instance of the commonwealth.

During the past year the State Board of Agriculture has been unusually successful in the department of the state work under its immediate control. Its meetings held in different parts of the state have awakened a greater interest in agriculture, and the attendance upon the board has been greater than at any other time in its history. The benefits to the farmers of our state derived from these meetings have more than compensated for any outlay. The whole amount appropriated for the expenses of the members of the board is $15,000. Notwithstanding the increased work which has been imposed upon the members, the expenses are less at present than any other time in the history of the organization.

The present system of farmers' institutes which have worked so satisfactorily, was inaugurated by this board in 1877; from then until 1885 the expenses were paid from the general fund of the board. The legislature, in 1885, realizing the importance of these meetings, made a special appropriation of $1,000 to defray

the expenses of them. In 1887 the appropriation was increased $300; in 1889 to $5,000, and in 1891 to the present appropriation of $7,000. With an appropriation of $7,000 the board has held eighty-five farmers' institutes in different sections of the State, and the results clearly indicate the wisdom of this expenditure. By an economic administration of the fund, more has been accomplished than in any other state.

Much dissatisfaction has been occasioned by reason of the act providing for the printing of the Agricultural Report. The act of 1878, under which the printing is done, has a proviso under section 2, "that each organization shall compile and arrange its own data, and that no data shall be used by either which is not original and legitimate to the organization offering the same." The organizations referred to are the State Agricultural Society, the State Dairymen's Association, the State Horticultural Association and the State College. Frequently the same paper delivered before the different societies was duplicated in the same report, and much delay is occasioned by failure of the societies to provide their manuscripts in time as provided by the same act. I would recommend that legislation be had, giving the State Board of Agriculture entire supervision over the printing of the report and the manuscripts that are offered for publication. This would give an entire volume to agriculture, avoid the expensive duplication of printing, and place the whole under the entire control of one state officer. I further recommend that all appropriations relating to the agricultural interests of the state be made to the State Board of Agriculture, so that the management and direction of this great interest may have the care and supervision of a department which has so largely the confidence of the people.

The Fish Commissioners, by their efficient management, have greatly contributed towards the restora-

tion of the inland fisheries of the rivers and waters of the commonwealth. Through their efforts the value of the shad product in the Delaware river alone has increased from $80,000, in 1890, to over $600,000, in 1892. This result in one river of the commonwealth has been accomplished by the enforcement of the laws against fish weirs and fish baskets. These seem to be the principal obstruction to fish culture. While penalties exist under existing laws they are not sufficient. I therefore recommend an increase of penalties against the maintenance of these obstructions in the rivers and streams of the commonwealth. Such legislation should meet with the co-operation of our fellow-citizens. By the restoration of the fish to the streams, all will participate in the benefits. The effect of illegal obstruction of streams with fish baskets and other illegal structures, is to destroy the young and take from the stream all other fish and leave the waters absolutely destitute, thus rendering futile the efforts of the state, through the Fish Commissioners, towards increasing the cheapening and supply of food fish to the public.

Another difficulty with which the Commissioner meets in the prosecution of its work and which is deserving of your attention, is the pollution of streams in the commonwealth by sawdust, acid, tannery refuse and the washings from culm and coal dirt, the effect of which is to make almost hopeless the propagation and cultivation of fish.

The wisdom of the legislation regulating the employment of women and children has been more than demonstrated during the past year. The Factory Inspector has visited more than 2,000 factories and mercantile establishments, employing 231 workers. In the prosecution of this work, the fire escape law has been the source of much embarrassment. After an inspection the means of egress in a factory are found al-

together inadequate, and an order is given to erect fire escapes under section twelve of the Factory Act. The county and municipal authorities approve the condemned fire escape and thus obstruct the proper administration of the Department of the Factory Inspector and the execution of the law. Full authority should be given to the Factory Inspector in such cases. Notwithstanding legislation as to the employment of children over time, several prosecutions have been resorted to to enforce the law. Additional protection would be given to children if section one of the Factory Act were amended so that no minor shall be employed in any factory or mercantile establishment for a longer period than ten hours per day, or sixty hours per week. At present it prohibits employment for a longer period than sixty hours per week, and so opens the way for a violation of the intent of the law, by working children sixty hours in four or five days, which is without doubt a violation of the spirit of the present law.

Section 4 of the same act permits the employment of children under age and permits them to work without restriction, provided a less number than ten are employed. This section should be repealed. Greater evils have been discovered in the smaller establishments over which the department has no jurisdiction than in many of the larger ones.

Section 2 of the Factory Act provides for the employment of children at twelve years of age. I recommend that fourteen years be substituted as the age of employment of children. There are more than 20,693 under sixteen years of age employed in the state, and frequently many are found who are unable to answer the questions or in any way indicate a knowledge as to their years. Such a condition demands immediate consideration.

The duty imposed by the act of 1891 upon the Fac-

tory Inspectors to see to the enforcement of the semi-monthly pay law has been more than the department, with its present force, could properly execute. I recommend that the Mine Inspectors be required to enforce its provisions in their respective districts, and the Factory Inspectors be required to see to its observance within their jurisdiction.

Too much attention cannot be given to the importance of constructing a fire proof building for the State Library. For a score of years every Executive has recommended such an improvement. The delay in meeting this important demand may continue so long as to end in serious disaster. The State Library is one of the most valuable collections of its kind in the country, and the number of its books is second to that of only one other state. While many of the volumes might be replaced by purchase, there are others which it would be impossible to duplicate. The library now numbers more than 94,000 volumes, embracing every known subject. By gift, by purchase and by exchange, national and international, this number increases at the rate of five thousand annually. The room set apart in the Capitol for the library is wholly inadequate. It has space for the proper accomodation of not more than half the number of books it now contains. The building itself is far from being fire-proof, and is liable at any time to accidents. The arrangements for heating the room are so badly constructed as to be destructive of the books.

The provision thus far made by legislature for the ismportant and highly essential work of cataloguing the library has proved adequate only for the law portion thereof, comprising about one-third of its total contents. Enlarged appropriation should be made to extend the cataloguing to the whole collection; and it should be sufficient to complete the work at an early

day, as nothing interferes more with the general utility of the library than the lack of a proper catalogue.

I approve the recommendation of the State Librarian that all departments and institutions under the control of the state, or receiving state aid, should be required to deposit copies of their annual reports with the State Librarian.

The reprint of volumes from two to fourteen of the second series of the Pennsylvania Archives has been completed. The books are now in possession of the Secretary of the Commonwealth. Five additional volumes ordered to be printed will be finished before the 1st of February, 1893.

The steady growth and increasing popularity of the principle of Civil Service Reform in appointments to and promotion in public office have redounded to the advantage and efficiency of the Federal system. It is well worth the consideration of your honorable bodies whether laws having the same purpose should not be enacted by the General Assembly for the regulation and government of appointments to the subordinate positions in the various branches of the state government.

By direction of the act of the legislature of 1891, providing for the collection, arrangement and display of the products of the State of Pennsylvania at the World's Columbian Exposition for the year 1893, I appointed a commission. The members of this commission immediately upon their appointment, effected an organization in accordance with the act of assembly. At the beginning of their duties they keenly felt the loss of their Executive Commissioner, Hon. Charles S. Wolfe, from whose wise counsel and large experience they expected such assistance as would contribute to the success of the state's exhibits. Nothing has been spared to present to the world the resources, industry, development and history of our great commonwealth.

The appropriation of $300,000, made by the legislature, will be ample to pay all the expenses necessary for the exhibition. Of this appropriation, $100,000 has been appropriated to the various departments representing the interests of agriculture and forestry, horticulture, live stock, fish and fisheries, mines and mining, machinery, transportation, manufactures, electricity, fine arts, liberal arts, and ethnology. One hundred and thirty-thousand one hundred and ninety-nine dollars and thirty cents has been appropriated to the erection, furnishing and maintaining the state building; $44,958.00 to the expenses of the board, board meetings, salaries and miscellaneous expenses, making a total estimate of expenditures for the exhibits $275,157.30, leaving a reserve fund of $24,843.70, sufficient to meet every possible contingency which may arise. It is very gratifying to be able to say to the legislature that the attention and industry of all connected with the commission which have characterized the work of the board has brought about the result which enables Pennsylvania to give an exhibit on a scale commensurate with the honor and dignity of the state, at a cost within the amount apropriated by the legislature. All of the expenses and demands of the exhibition of the state have been carefully considered and are within the figures I have given.

The Pennsylvania State building in Jackson Park is rapidly nearing completion, and it is the purpose to dedicate this building at or immediately before the opening of the exposition.

The Pennsylvania Board of Commissioners for the promotion of uniformity of legislation in the United States, created under the act of 15th of April, 1891, have held a number of meetings and, in conference with the commissioners from other states, have considered the subjects of execution and acknowledgments of written instruments, days of grace on com-

mercial paper, certificates authenticating the official character of those taking acknowledgments out of the state, seals to written instruments, separate examination of married women, executing conveyances and acknowledging them, execution and probate of wills, marriage, divorce and weights and measures. Nearly all the states were represented at the conference, and it is not improbable that all the states will finally join in the convention. The subjects already considered have been postponed until a full representation of all the states can be secured. It will require much time and thoughtful deliberation before the clashing legislation of the states upon the subjects enumerated can be brought into a state of harmony. I have no doubt it will require years of patient and earnest effort. The people of the states will not hastily surrender statutory systems under which many of them have been working since their organization. I recommend that the term of two years, which will expire in June, 1893, be extended to at least four years and proper provision be made for the expenses of the commission for the extended term.

For reasons cogently stated in their report—which I transmit to the General Assembly—the eminent and learned gentlemen comprising the commission, under the act of January 25, 1883, to examine and report upon the unprinted acts of assembly, are unable, without further legislative provision, to make their valuable labors effective. There is a lack of appropriation necessary to complete the text and to absolutely secure the accuracy of printing which the peculiar character of the work demands. Much valuable material has been collected by the laborious comparisons and exhaustive corrections thus far made, it remains to make this of general use to the courts, the legal profession and the people of the commonwealth generally, by pro-

viding for its early completion and for its fit and accurate publication.

There is no doubt of the popular demand which exists for the enactment of legislation on the subject of roads and roadmaking. This sentiment has appeared in popular discussion and taken form in attempts at legislative enactments. Its agitation has been a stimulus which has already added to the improvements of our roads during the past year. At present we have special and local road laws to the number of several hundred, governing as many townships of the state. In some instances localities are satisfied with them and unwilling to enter upon a change. In others there is a reluctance to surrender the privilege of the right to work out the tax, while in many the increased taxation of real estate, necessitated under any system suggested, present insuperable objections. At the last session of the legislature the act passed for the improvement of our road system was so unjust in its distribution of state aid, and its purposes so numerous and diverse, as to expose it to the constitutional objection of containing more than one subject, and I felt constrained to withhold my approval. The basis of distribution which it proposed was the amount of road taxes collected and expended by each township for road purposes during the preceding year. This would have put it entirely within the power of rich and populous districts, such as adjoin large cities and boroughs, to receive a large share and possibly the full amount of state bounty, while remote districts where road improvements were most needed would have been without relief. The importance of good roads, in their relation to travel, traffic and economy, is conceded. Questions as to method of construction are not difficult of adjustment. Attachments for old ways can be broken. There remains, however, the financial problem. With it solved the

way to improved roads is without obstacle. Under existing laws the expense would largely fall on the farms of the commonwealth. These already have more than their share. There is a very outspoken demand for relief. At this time to add to their burden by large expenditures on roads would be an injustice. To construct a desirable road under the most improved method would cost at least three thousand dollars per mile. The Cumberland, or old National road, constructed by the United States government and running through Somerset, Fayette and Washington counties in our state, cost $9,200.00 per mile. It is, of course, much wider than necessary for the average country road. To make a road of one-third the width of the National road would entail an outlay of $3,000.00 per mile. To construct fifty miles of such road in a county would cost $150,000.00, and in sixty-five counties $10,000,000.00. In some counties fifty miles would barely cross the county. In addition to the cost of the construction must be counted the annual expenditures for maintenance. Such an expenditure under existing revenues of county and state could not be made in a period of two, five or ten years, and if made would largely increase the tax on real estate. I will cheerfully co-operate with you in any legislation which will bring about a uniform road law, and at the same time adjust our system of taxation so that all shall contribute alike for the cost of improvements.

The superintendent of the Cumberland road within the limits of Fayette county reports improvement in its condition. He notes the necessity of repairs to the great stone bridge over the Youghiogheny near Somerfield, which structure begins to show signs of decay. It should be preserved at least as a monument of the notable past history of this famous thoroughfare. He estimates the cost of needed repairs at $1,500.00 and asks for legislative appropriation for such purpose to

that amount. I commend the subject to your attention.

I have heretofore given to the people of the commonwealth appropriate notice by public proclamation of the death of Adjutant General William McClelland, in Harrisburg, on the 7th day of February, 1892. He was a modest and gallant soldier in the war for the Union, and a faithful, capable and honest official. The influence of his labors in the important department of which he was the head at the time of his death, will long be felt in its improved methods and enlarged efficiency.

I have, in like manner, brought to public notice the death of ex-Governor Henry M. Hoyt, at Wilkes-Barre, on the 1st of December, 1892. He was one of the most learned and distinguished of the long line of illustrious men who have filled the executive chair in this commonwealth. His public services have deservedly gained for him eminent repute in the military, professional and political annals of Pennsylvania.

You may rely on my cordial concurrence in every measure for the public good, and whatever information is within my possession is at your disposal to aid you in the discharge of the high functions with which you are invested by your state.

ROBT. E. PATTISON.

To the Senate Nominating O. E. McClellan, Quartermaster General.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, O. E. McClellan, of Harrisburg, Dauphin county, to be Quartermaster General, with the rank of Colonel of the National Guard of Pennsylvania, to rank as such from March 8, 1892, for the term of five years, from March 8, 1892.

ROBT. E. PATTISON.

To the Senate Nominating John A. Wiley Brigadier General of the Second Brigade of the National Guard.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, John A. Wiley, of Franklin, Venango county, to be Brigadier General of the Second Brigade of the National Guard of Pennsylvania, to rank as such from January 25, 1887, for the term of five years, from January 22, 1892.

ROBT. E. PATTISON.

To the Senate Nominating Walter W. Greenland Adjutant General.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Walter W. Greenland, of Clarion, Clarion county, to be Adjutant General, from March 8, 1892, until January 20, 1895, vice William McClelland, deceased.

ROBT. E. PATTISON.

To the Senate Nominating W. Hayes Greer Superintendent of Public Printing and Binding.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, W. Hayes Grier, of Columbia, Lancaster county, to be Superintendent of Public Printing and Binding, from April 1, 1892, until July 1st, 1893, vice Barton D. Evans, superseded.

ROBT. E. PATTISON.

To the Senate Nominating Charles H. Krumbhaar Superintendent of Banking.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Charles H. Krumbhaar, of Philadelphia, to be Superintendent of Banking, for the term of four years, from November 24, 1892.

ROBT. E. PATTISON.

To the Senate Nominating Samuel R. Downing a Member of the State Board of Agriculture.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Samuel R. Downing, of West Chester, Chester county, to be a member of the State Board of Agriculture, for the term of three years, from the fourth Wednesday of January, 1892.

ROBT. E. PATTISON.

To the Senate Nominating Commissioners of the Board of Public Charities.

Commonwealth of Pennsylvania.
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be commissioners of the Board of Public Charities, for the term of five years, from the date set opposite their names, respectively, viz:

George W. Starr, Erie, Erie county, February 19, 1892.

Henry M. Boies, Scranton, Lackawanna county, February 19, 1892.

Marion H. Dickinson, Philadelphia, October 25, 1892.

ROBT. E. PATTISON.

To the Senate Nominating W. H. Davis a Member of the Board of Commissioners to Conduct a Geological Survey.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, W. H. Davis, of Doylestown, Bucks county, to be a member of the board of commissioners to conduct a geological survey of the state,

from November 24, 1891, and during the continuance of the said work, vice Jacob Turney, deceased.

ROBT. E. PATTISON.

To the Senate Nominating Alonzo Robbins a Member of the State Pharmaceutical Examining Board.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Alonzo Robbins, of Philadelphia, to be a member of the State Pharmaceutical Examining Board, for the term of five years, from June 23, 1892.

ROBT. E. PATTISON.

To the Senate Nominating Benjamin P. Obdyke a Director of the Nautical School of Philadelphia.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Benjamin P. Obdyke, of Philadelphia, to be a director of the Nautical School, of Philadelphia, for the term of six years, from November 24, 1891, vice F. L. Neall, resigned.

ROBT. E. PATTISON.

To the Senate Nominating James Henry Cochrane a Menager of the State Industrial Reformatory.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, James Henry Cochrane, of Williamsport, Lycoming county, to be a manager of the State Industrial Reformatory, at Huntingdon, for the term of ten years, from May 15, 1892.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the State Lunatic Hospital at Harrisburg.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following-named gentlemen to be trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg, viz:

W. K. Alricks, of Harrisburg, Dauphin county, from November 12, 1891, until April 7, 1893, vice H. L. Orth, resigned.

J. Herman Bosler, of Carlisle, Cumberland county, from April 20, 1892, until June 16, 1893, vice Triall Green, resigned.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the State Hospital for the Insane at Norristown.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following-named gentlemen to be trustees of the State Hospital for the Insane, at Norristown, viz:

Joseph Thomas, M. D., of Quakertown, Bucks county, for the term of three years, from July 11, 1892.

Thomas Bradley, of Philadelphia, for the term of three years, from November 29, 1892.

John T. Dyer, of Norristown, Montgomery county, for the term of three years, from November 29, 1892.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the State Hospital for the Insane at Warren.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following-named gentlemen to be trustees of the State Hospital for the Insane, at Warren, for the term of three years from June 10, 1892, viz:

George N. Parmlee, Warren, Warren county.
R. B. Stone, Bradford, McKean county.
T. J. Smiley, Titusville, Crawford county.

ROBT. E. PATTISON.

To the Senate Nominating D. J. Langton a Trustee of the State Hospital for Injured Persons of the Anthracite Coal Region.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, D. J. Langton, of Shenandoah, Schuylkill county, to be a trustee of the State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania, at Ashland, from July 6, 1892, until lawfully determined or annulled, vice John Parker, deceased.

ROBT. E. PATTISON.

To the Senate Nominating William Griffith a Member of the Commission to Investigate the Waste of Coal Mining.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, William Griffith, of Scranton, Lackawanna county, to be a member of the commission

to investigate the waste of coal mining, with a view to the utilization of said waste or culm, from September 22, 1892, until lawfully determined or annulled, vice J. W. Price, deceased.

ROBT. E. PATTISON.

To the Senate Nominating Alice Bennett, M. D., a Commissioner to Select a Site and Build an Asylum for the Chronic Insane.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 3, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Alice Bennett, M. D., of Norristown, Montgomery county, to be a commissioner to select a site and build an asylum for the accommodation of the chronic insane of the state, from February 17, 1892, until lawfully determined or annulled.

ROBT. E. PATTISON.

To the Assembly Transmitting a Letter from the Contractor for Public Printing and Binding.

Executive Department,
Commonwealth of Pennsylvania,
Office of the Governor,
Harrisburg, January 19, 1893.

Gentlemen:—

I HEREWITH TRANSMIT TO YOU A COMMUNIcation this day received from E. K. Meyers, proprietor of the Meyers Printing House, of Harrisburg, and contractor for the public printing and bind-

ing of the commonwealth. The writer of this communication takes issue with and denies certain statements in my bi-ennial message communicated to you on January 3d, and makes comments on certain portions of the same. In view of these, and in justice to him and to the members of your honorable bodies, I lay before you his communication entire.

I recommend that a joint committee be appointed from the House of Representatives and the Senate to inquire into the present laws regulating the public printing and binding, the manner in which they have been enforced and executed during the contracts of the present contractor and his predecessor, the charges and alleged overcharges for work done for the commonwealth, the allegations that private matter has been given precedence of public work, the cost of the public printing and binding, the enforcement and observance of the laws by the Superintendent of Public Printing and, generally, to inquire into and to recommend such changes as may be necessary or expedient in the present statutes to secure greater economies and enlarged benefits for the commonwealth in this department of the public service.

I further and especially recommend that this investigation be instituted and completed promptly, in view of the expiration of the present contract during the current year and the opening of bids and allotment of the new quadrennial contract during the present month.

ROBT. E. PATTISON.

Harrisburg, Pa., January 19, 1893.

To His Excellency Governor R. E. Pattison:

Sir: In your last annual message to the two houses of the legislature occur the following statements: "The public printing and binding are not only not done with dispatch, but much delay attends the work, causing serious embarrassment to the heads of the several departments. The annual reports, in some instances, are not in the hands of the heads of departments for distribution until the manuscript of subsequent years is ready to be issued."

"The public printer with contracts for private matter delays the publishing of public documents because of precedence being given to private contracts."

"For the year ending June 30, 1892, the cost of the printing and binding foots up the sum of $241,883.65."

I feel it a duty to myself, as well as the public, to correct the errors into which you have fallen, no doubt unwittingly, in the foregoing deliverances.

1. It is not true that the public printing and binding are not done with due dispatch. The publication of Smull's Hand Book and the Life Insurance Report are given as examples of alleged delay on my part.

May I ask, have you fully informed yourself in regard to the circumstances attending the publication of these volumes? Are you aware that the copy of Smull's Hand Book is often held back for months in order that important data may be obtained by the compiler? This is necessarily the case. The compiler was obliged to delay his copy much longer than usual in the census year, which accounts for the lateness of the publication of this book for 1891. As for the Life Insurance Report, the copy is never furnished the printer until February of each year. Last year this book was ready for delivery in April. The law requires that "heads of departments shall on the first day of December, or as soon thereafter as possible," make out their reports and deliver them to the Governor, who shall cause the same to be delivered to the superintendent of Public Printing and binding to be printed, etc. Have you seen to it that this provision of the law has been fulfilled by your commissioner of insurance? Have you required him to file his report with you on December 1, of each year, or as soon thereafter as possible, and if so, do you regard the middle of February as a date "as early as possible" after December 1st? As you do not specify any other delays in the publication of the department reports, I take it that this brief reference to the matter will,

even in your critical judgment, exonerate me from blame in the premises.

Permit to add right here, that it is a gross libel upon the contractor for the public printing and binding to charge him with giving precedence to private contracts. Pray, to whom are you indebted for this information, and why did you not give me an opportunity to confront your informant with evidence to contradict his falsehoods? Indeed, why did you not call me before you and demand that I refute the statements made to you, in order that if I failed to disprove the charges you might sue out my bond? Again, your charge that I give precedence to private work is a severe reflection upon the capacity or fidelity (whichsoever you please) of your Superintendent of Public Printing and Binding. It is his duty to see to it that I give the public printing and binding the preference. Has he failed in the discharge of his duty? Does he say to you that I give private contracts precedence? He is silent on the subject in his annual report. If he has given you such information he must have whispered it very privately in your ear. On this point, let me say further, that every foreman in my employ will testify under oath that the public printing and binding are always given precedence in my printing office and that State publications are not and never have been delayed on account of private work.

Finally I refer you to the report of the Superintendent of Public Printing and Binding for 1890 for one of the principal reasons for such delay as unavoidably takes place in the publication of the department reports. In that report the superintendent says: "Much delay is occasioned by the failure of the prompt returning of proofs sent out of town, two or three weeks being not unusual, while in some cases the delay runs into months. The proofs come back in some cases so full of alterations that it is evident that no care had been taken in editing the manuscript. In one case the original composition or typesetting cost $226.07, while the alterations cost $112.84 or almost 45 per cent. Much more prompt delivery of documents could be made if all this could be avoided, while another trouble is that this delaying work blocks the way of department documents to which these comments do not apply." Have you ever given any thought to this phase of the matter? Why, sir, as your superintendent will tell you, it requires the product of several first class type foundries to accommodate that part of public printing which is locked up for weeks and months by the delays of compilers in returning proofs, and as

for the cost to the contractor arising from such delays and for the postage he pays on proof sheets sent by mail, it runs into thousands of dollars per annum for which the state has not reimbursed him.

2. Your statement of the cost of the public printing and binding for the year ending June 30, 1892, is misleading. Of the $241,883.65 which you give as the sum paid by the state for the public printing and binding, but $178,592.16 were paid to me as contractor. The latter sum was the actual cost of the work done on the public printing and binding for that year. The remainder, $63,291.49 the state paid to contractors for paper and other supplies. Of the $178,592.16 paid for the work on the public printing and binding for the year ending June 30, 1892, the sum of $31,645.39 was paid for geological atlases and maps which had been in great part completed in previous years, but which could not be billed to the state till the work was complete. Hence a considerable sum which should be charged to previous years is included in the payments for the year 1892. These atlases and maps could be finished only as rapidly as the Geological Survey was able to furnish draughts and I was compelled to wait for my pay from the state in some instances for serveral years after parts of atlases had been finished. You refer to the fact that Smull's Hand Book and the Life Insurance Report for both 1891 and 1892 were paid for in 1892, which is an admission that a large part of the payment to me for that year was for work done the previous year.

So you see it is not fair to take that payment as a criterion. Now, sir, be pleased to compare the cost of the public printing and binding during seven years of my predecessor's contract and seven years of my own. For the seven years ending June 30, 1885, there were 1,000,550 copies of the various department reports printed and bound at a cost to the state of $1,025,318.40 for the work done upon these by the contractor. For the seven years ending June 30, 1892, there were 1,268,400 copies of the various department reports printed and bound at a cost to the state of $791,232.97 for the work done upon them by the contractor. These figures are taken from the reports of the Superintendent of Public Printing and Binding. They show that my contract has saved the state the snug sum of $235,085.43. Still better, it shows that the state got 267,850 more volumes during the seven years of my contract than it did during the seven years of the preceding one. Best of all, the reports of the Superintendent of Public Printing and Binding show that notwithstanding the great reduction in cost, the state got many

more illustrated books, of an interesting and instructive character, under my contract than under the previous one.

The average cost per copy of public documents under my predecessor's contract was $1.02½. Under my contract it has been 62½ cents, a saving to the state of nearly 40 per cent. If my predecessor had printed and bound the 1,268,400 copies of public documents, which I have printed and bound, the state would have paid him $1,300,110 instead of the $791,232.97, which it paid me, or $508,877.03 more than I received. In reality, therefore, my contract has saved the state the latter sum. In the foregoing figures the reports and atlases of the Geological Survey are included. The much abused "Bird book" is not included, but if the cost of that publication for both editions ($59,026.82) be added to the total payments made to me by the state, as given above, my receipts for all my work on public documents would stand $80,269.79 as against $1,300,110, at the rate of my predecessor's contract, still showing a saving to the state of $450,000 in round numbers.

The miscellaneous printing for the several departments is not now as great as it was under the former contract, notwithstanding the fact that the departments are not content with the cheaper sort of work which was formerly ordered by them. The people of Pennsylvania have had for a number of years a steel-plate government. Letter-heads, envelopes and certain kinds of blanks are ordered to be done on steel.

It seems never to have occurred to your excellency that reform, like charity, ought to begin at home. Probably if this thought had found lodgment in your mind you would ere this have required your Superintendent of Public Printing and Binding to reside at the State Capital as the law requires. This communication has grown to greater length than I had intended it should, and I can only say in conclusion that you are heartily welcome to all the information it contains; and that although you have done me a gross injustice I shall cheerfully give you any further points on the subject of the public printing and binding which you may officially require.

Believe me, yours very respectfully,

E. K. MEYERS,

Contractor for the Public Printing and Binding.

To the Senate Nominating William B. Powell a Member of the State Board of Agriculture.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 23, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, William B. Powell, of Springboro', Crawford county, to be a member of the State Board of Agriculture, for the term of three years, to compute from the fourth Wednesday of January, 1893.

ROBT. E. PATTISON.

To the Assembly Transmitting a Report of the Commissioners to Secure a Site for a Quarantine Station.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 31, 1893.

Gentlemen:—

I LAY BEFORE YOU THE MAJORITY AND MINority reports of the commission appointed under the concurrent resolution of the 21st of May, 1891. The commissioners were to communicate with the authorities of the Federal Government, or of any state, with a view to obtaining such concessions as will enable the Board of Health, of the city of Philadelphia, or the Commonwealth of Pennsylvania, to secure a suitable site for a quarantine station at some point remote from the centers of population, on the Delaware river. Also to inquire into the feasibility of establishing a joint quarantine for the protection of all

the ports on the Delaware river and bay, to be controlled by the several states bordering thereon, and to report to the next legislature.

I greatly regret that the commissioners were unable to agree upon this important subject. It is of the utmost importance, in view of the predicted invasion of cholera during the coming summer, that early action be taken. I have no doubt that the legislature will give the subject that just consideration and attention which it demands.

ROBT. E. PATTISON.

The commission appointed to communicate with the proper authorities of the Federal Government or of any state with a view of obtaining such concessions as will enable the Board of Health of the city of Philadelphia, or the Commonwealth of Pennsylvania, to secure a suitable site for a quarantine station at some point remote from the center of population on the Delaware river, respectfully reports as follows:

The commission has devoted part of its work to ascertaining the probability of securing interstate agreement for quarantine service, involving the joint interests of the three states bordering on the navigable portions of the Delaware river and bay, that is to say, Pennsylvania, New Jersey and Delaware. So far as the commission is aware the only tracts of land practically available to quarantine purposes concerning which the Government of the United States should be consulted are Fort Delaware, the Government Reservation at Lewes and possibly a portion of Reedy Island. The commission has not sought information from the Federal authorities proper, but has received aid from certain departments of the government, especially the coast survey and engineer's departments, concerning such practical matters as depth of water, width of channel, stability of land, so important in a location of a quarantine station. Requests were formally transmitted to the legislative department of New Jersey and Delaware to name commissioners to meet the Pennsylvania Commission in consultation. The Government of Delaware appointed three persons, Messrs. E. R. Cochran and J. T. Budd, of Middletown, and W. P. Orr, Jr., M. D., of Lewes, who have frequently met with the commission. The State of New Jersey has not named any commissioner. The work of the commission has consisted, in great part, in

examination of various sites along the Delaware river, in visits to the prominent quarantine stations of other ports and in meetings with citizens and citizens' associations in Philadelphia and Chester, the last named proceedings being with a view to learn the general public feeling on this question. Since, according to the joint resolution creating the commission, it is not concerned with the appliances at the present Lazaretto, it need not discuss the question here. The danger of an epidemic of cholera during the past summer has attracted the public interest to quarantine management, and the commission has available a mass of literature both from the expert and the inexpert, as to the proper conditions under which quarantine should be maintained. On one point, however, but little difference of opinion can exist and that is that an island site, either natural or artificial, is the only satisfactory location for that portion of the quarantine service actually concerned in the treatment of the sick, the observation of the well or the disinfection of articles. The commission has, therefore, sought only to secure such locations on the Delaware river and has not considered it necessary to inquire into the availability of any mainland site. Apart from questions of isolation, business interests, which cannot be overlooked in this relation, require that the quarantine site shall afford safe and abundant anchorage ground for vessels and sufficient protection to permit of boarding vessels at all times. In discussing the advisability of any quarantine station, it will not be inopportune to contemplate for a moment the great changes that have taken place in commercial methods since the establishment of the Lazarette facilities on the Delaware river nearly one hundred years ago. At that period the city of Philadelphia contained a population of but a few thousand. The shores of the Delaware river below the city were almost untouched by human hands except at scattered points where insignificant villages had developed. Shipping was entirely dependent upon the wind and tide for its motion. Vessels were generally small and were frequently many days making their way from the capes to the wharf. The boarding work at the Lazaretto was performed by means of a barge propelled by sail or oars, and frequently the only official information obtainable by the boarding officer as to the condition of health in the port from which the vessel sailed was the presentation of the bill of health issued by the consul. When, therefore, the station located at the mouth of the Schuylkill was found objectionable, on account of its contiguity to Philadelphia, it was entirely satisfactory to remove it a few

miles further down to the then deserted region of Big Tinicum island. At that time the greater portion of the vessels arriving could pass by way of the channel between the Lazaretto and Little Tinicum island--a long, narrow strip of land lying about a mile from the shore line. The location now occupied by the city of Chester, with its dense population and extensive industrial interests, was so insignificant in nature that the Lazaretto could not be considered as interfering with it. The movements of commerce, inherently slow, were not seriously impaired by even imperfect means of reaching vessels, or by the long detentions which were customary in those years, and from which, indeed, the term quarantine is derived.

Since the establishment of the present location a more complete transformation of commercial business and sanitary methods has taken place than has concurred since the beginning of the historical period of the human race. When it is remembered that the ships that travelled from the capes to Philadelphia, moved by the same means and under probably, the same conditions as those which propelled the fleets of the Greeks and Trojans, and that the inhabitants of Philadelphia could communicate with the Lazaretto by methods no more rapid than those by which Athens could communicate with the Piraeus, we will be able to appreciate the extent of the changes that have taken place since the close of the last century. Steam has brought about a system of rapid and certain movements making the arrival of vessels matters of almost hourly exactness. Tonnage has been increased, and telegraphic and telephonic communications have enabled the boarding officers to obtain instant communication with all important points. Long before the arrival of a vessel from any distant port, information of any epidemic development will be communicated to the sanitary authorities, and the presentation of a bill of health is often a useless formality, reciting as it does, facts of which the health officer has long been aware, or which in the light of later intelligence he may even consider misleading. These changes have affected, of course, the commercial interests of every port in the world, but special conditions of development apply to the quarantine service of the Delaware river and bay, which need serious consideration, and which have, indeed, led to the appointment of this commission. Within the last fifty years large manufacturing interests, including ship building on an extensive scale, have given rise to a concentration of population along the Delaware river front, encroaching upon the present Lazaretto boundaries, both from Chester upward

and from the main land surrounding Big Tinicum island. By opening up of local railroad facilities, these districts, which were formerly, at least two hours' ride from Philadelphia, and longer in bad weather, can now be reached in comfortable cars at an almost nominal expense, in less than half an hour, which has resulted in producing a much more decided interference, on the part of the Lazaretto station, with the normal development of the district, than was contemplated when the station was originally established. Furthermore, a material alteration has taken place in the facilities for boarding vessels. When originally located, the station was on the ship channel, but at present, vessels are, with few exceptions unable to come within a mile of the Lazaretto.

In considering, therefore, the object of the commission, it seems clearly indicated in the resolution constituting the body, that a removal of the Lazaretto from the present location, or its neighborhood, was intended. Certainly to obtain "such concessions as will enable the Board of health of the city of Philadelphia, or the Commonwealth of Pennsylvania, to secure a suitable site for a quarantine station at some point remote from the center of population on the Delaware river," involves a change of location; for the present site is not only inconvenient by reason of its distance from the channel, but instead of being located "remote from the centers of population," is but a short distance from one of the densest and most actively increasing districts within the state. The commission, therefore, in making its inquiries as to locations suitable for a new station, has not thought it necessary to discuss the islands within the boundaries of Pennsylvania. These are two in number: Little Tinicum island, opposite the present station, and the area of almost submerged land known as Chester islands. In the order of distances from Philadelphia, three substantial tracts of land exist below the state line, and within the boundaries of the State of Delaware. These are Pea Patch island, on which Fort Delaware is located; Reedy island and Bombay Hook island.

The first of these, Pea Patch island, is under the control of the United States government, and is, at present, employed principally as a depot for warlike stores. Although the members of the commission are not prepared, of course, to pass judgment upon the value of points for strategic purposes, it is generally understood that the fortress now located upon the island, is not of great value as a means of defense. The firm ground of this island is about one-half mile in length by one-fourth mile in breadth, and the center of the island is approximately one

and one-half miles from either shore. Delaware city is located on the Delaware shore opposite the island; the territory on the New Jersey side is but sparsely settled. Although the river is of considerable width at this point, the available channel on either side of the island is narrow for a distance of many miles. The channel, between the island and the Delaware shore, is not much over one-fourth of a mile wide, from a point two miles in a straight line below the island to a point two and one-half miles above it. The channel between the island and the New Jersey shore is always used by vessels from foreign ports. It is nearly a mile wide at a point two miles below the island, narrows to half a mile opposite the island, and becomes even still narrower at a point known as Bulkhead shoal, about three miles above the center of the island. Though the areas of the island and the ship channel are thus seen to be small and inconvenient, yet it is to be noted that there is quite as much room for the anchorage of vessels opposite the island as there is opposite the present station, and that the inside channel has at no point, according to the chart of the coast survey, a less depth than nineteen feet at mean low water, and will, therefore, serve for the anchorage of certain classes of vessels. The main ship channel is somewhat shallow at a point a little more than a mile below the island, but immediately opposite the island is recorded as having a depth of thirty feet at mean low water. In some respects, Fort Delaware presents advantages as a location for quarantine, and it not unlikely that in an emergency, such as has occurred during the past summer, it could be employed as a station for detention of passengers, and disinfection, for which purposes the present buildings, having been constructed for the purpose of maintaining a considerable garrison, would doubtless serve, and could be supplemented by tents and barracks. It would seem not difficult to locate on the island efficient disinfecting apparatus, and to provide a point of landing for the boats employed in the quarantine service. The commission has, however, not inquired closely into the condition for which the use of this island might be obtained, principally on account of the fact, that the Delaware river pilots have generally declared the ship channel to be so narrow that it would be difficult to handle vessels with safety. It seems to the commission, however, that some of this feeling may arise from a want of appreciation of the possibilities of improvement in quarantine management. In view of the fact that, except during the prevalence of epidemics, the work of the quarantine officer is at the present day scarcely more than

a mere perfunctory filling out of a certificate (the custom in all large ports being to accept the bill of health, and the statement of the captain or the medical officer as equivalent to an inspection), it would seem to be possible to conduct the service for the most part without delaying the vessels, or requiring them to anchor. Without desiring, however, to argue this question of possible modification of quarantine methods, we may proceed to consider the condition in regard to the next island in order, known as Reedy island, and located about five miles below Fort Delaware, on the Delaware side of the ship channel. The extreme length of Reedy island is about one and one-half miles, its greatest width is not over one-fourth of a mile. The channel between it and the Delaware shore is comparatively shallow, having rarely a depth of over twenty-five feet at low water, and much less depth at the upper and lower ends, so that vessels of over fifteen feet draft could not enter it. The ship channel, in which there is abundance of water, is a straight line from a point three miles above the center of the island to a point about the same distance below it. From Coast Survey Chart No. 125, from which these data are taken, it appears that the firm ground on Reedy island does not exceed in area that of Pea patch island, while the approaches are no more convenient to the back channel and far less serviceable. Reedy island has the advantages of decidedly greater room in the ship channel of being located in a less populated portion of the territory, the only settlement of importance being Port Penn (which is located on the Delaware side about three quarters of a mile from the center of Reedy island), and also of being further down toward the salt water area of the bay. The commission has been given to understand by the Delaware commissioners that grave objections would be made by the authorities of that state to the occupation of Reedy island for quarantine purposes, by reason of its proximity to the settlement of Port Penn. It may be said here that experienced pilots have generally agreed that so far as the management of shipping is concerned, Reedy island would be suitable for a quarantine station. The ship channel approaches close to the island which would permit bringing the vessel to a wharf a matter of considerable importance in dealings with passenger steamers from infected ports.

It is stated by Major Raymond, of the United States Engineers, that the land composing Reedy island is sufficiently firm for building purposes, although possibly a protecting wall might be required at some points. It does not appear, however,

that this location will meet the requirements of quarantine construction in the light of present methods. Much greater area is needed than this island furnishes, and in view of the close proximity of thriving settlements, it would seem unreasonable to expend money in the construction of such work, when at no great distance below this, an island exists that fulfils in an exceptionally satisfactory manner almost every requirement for quarantine on the largest scale, and permits of adaptation, by some not difficult engineering operations, in a most complete manner. This is Bombay Hook island.

Bombay Hook island is located in Duck Creek township, Kent county, Delaware. It is a narrow strip of land about seven miles long and varying in width from a mile to much less, separated from the main land by a narrow stream of water and considerable marsh. It includes in its entirety, the commission is informed, about 6,000 acres, of which about one-third, say 2,000 acres, is firm ground, suitable for all building purposes. Since the firmer portion of the island lies toward the bay side, it is obviously in a position for utilization. A considerable portion of the island is wooded, another considerable portion is arable land. The creek separating the island from the main land, although narrow, is sufficient, with the somewhat marshy shores, to prevent communication with the main land, except over causeways, one of which now exists for the purpose of carrying a railroad on the island. The main land adjacent to Bombay Hook is very sparsely settled, the nearest collection of population of any importance, Smyrna, being eight miles distant from the center of the island. So far as the danger of conveying infection may be considered, therefore, there does not appear to be the slightest reason for alarm. All the water surrounding Bombay Hook is salt, a fact which renders the marshy ground less objectionable, and it is an additional advantage in use of water for washing out of bilges, holds and steerages of ships. The ship channel is wide along the entire length of the island, affording room for the anchorage of the greatest number of vessels that are ever likely to be detained in quarantine. Pure water could be obtained on the island and the farming area would be quite sufficient to constitute a support for even a considerable number of persons for a month or more, thus making it possible to secure, if emergency should require it, absolute isolation. The extensive territory available, including the woodland, would place detained passengers or crews under the most favorable sanitary conditions, avoiding all perils of overcrowding, while securing the advantages

of fresh wholesome food, pure water for drinking purposes, and abundance of salt water for lavatory flushing, and other general sanitary uses. No difficulty would be found in disposing of refuse without creating a nuisance or any sanitary dangers. The most favorable point for approach is at Woodland Beech, which is about the junction of the upper with the middle third of the island. At this point there is sufficient water, even at low stages of the tide, for a small tug boat, but for a distance, about three-fourths of a mile, from the shore line to the ship channel, there is not at any point a greater depth than seventeen feet at mean low water, and near the shore there is much less than this. This point, the absence of a natural deep water wharf is the only practical objection that can be brought against this location as a quarantine station, and it seems that this defect could be corrected by an engineering operation, consisting in part of the dredging of a ship channel for a short distance and the building out from the island proper of a stone causeway supplemented by a pier, the construction being such as to permit a vessel drawing not over twenty-six feet to come to a wharf. It has also been stated by an experienced pilot, whose opinion as an expert was asked by the commission, that at rare intervals there might be some difficulty in safely boarding vessels in the channel opposite the island. This gentleman stated, however, that such interference would probably not be in larger proportion than, say, ten days out of every year, and most of these interfering conditions of weather would occur in the winter season when the necessities for inspection and treatment of vessels are much less momentous. Should a deep water wharf be constructed even this difficulty would disappear, for if necessary to treat or examine the vessel, or discharge its passengers or crew, it could be brought alongside the wharf. That the immediate locality of this island is a satisfactory place for anchorage is shown by the fact that it is very frequently used by pilots of both incoming and outgoing vessels. The records of the Maritime Exchange, of Philadelphia, will show that it is very frequently the practice to anchor deep draft steamers at this time towards nightfall. The commission is informed that this island is located below points at which ice is troublesome, another advantage in respect to location not enjoyed by some points further up the river. Bombay Hook island is, undoubtedly, located below all points at which, for many years to come, any commercial interests will develop. The shoreline on both sides of the bay, from this point to the breakwater, is entirely unsuited for purposes of foreign com-

merce. This also is a point to be considered in connection with the location. Moreover, since experience has shown that practically all the vessels that stop at the Delaware Breakwater Station for quarantine inspection are bound for ports on the Delaware river, there would appear to be a feasibility of combining at Bombay Hook, by interstate and international agreement, the entire quarantine service for Pennsylvania, New Jersey and Delaware. Should, for instance, a portion of the improvement of this station be carried out by the government of the United States, assisted by states bordering on the Delaware river and bay, a very complete equipment could be furnished. Indeed, the only expenditure of any considerable magnitude would be the construction of the deep water wharf. The island needs no reclaiming; the buildings for quarantine purposes should be comparatively inexpensive. Hospital buildings such as are now located at the Philadelphia Lazaretto are entirely unsatisfactory. In such places as are intended to treat exclusively virulent, contagious affections, the hospital buildings should be of inexpensive materials, the cheapest consistent with safety and comfort, so that in the event of a serious epidemic rendering them infected, the entire structures could be destroyed by fire. When it is recollected that during the last summer the quarantine station at the Breakwater was inefficient as far as actual disinfection, detention and observation of passengers was concerned, on account of the difficulty of reaching vessels anchored in the open roadstead, eleven miles wide, between Cape May and Cape Henlopen, it will be seen that some more practicable method is needed. In discussing questions of breakwater quarantine it must not be forgotten that the breakwater cannot be entered by deep draft vessels. Since experience has shown that at least ninety-nine out of every one hundred vessels receiving visits from the quarantine officer at Lewes are passed to their point of destination without delay, it would seem to work no material hardship if such vessel moved to a point about forty miles up the bay and underwent there an inspection covering all the requirements, and, therefore, final. Such as were found to be infected or dangerous could be detained at once and treated. In very rare cases in which such vessels were not bound for Philadelphia there would still be no hardship in their passing up the bay. In the one remaining class of cases in which vessels in good condition and from healthy ports anchor at the breakwater awaiting orders, no interference would be produced, since such vessels would be isolated from the shore and would receive their quarantine

examination at the port to which they were ordered. To show the insufficiency of the present breakwater facilities, it will suffice to transcribe some data from the report of the Quarantine Commission of the International Conference of State Boards of Health which visited each station last September.

"The Delaware Breakwater Station consists of a large administration building and residences for officers, a small hospital of twenty-eight beds, tents for persons under observation and dining hall for their use, and two or three smaller buildings for bath and cleansing purposes.

"The hospital was not in good condition for the reception of patients and the water supply is drawn from a shallow pipe-well, driven into the sand under the hospital building. The attached kitchen obtains its water supply from a similar well under the building. The bath room has no proper conveniences, ordinary tubs being used, while no adequate water supply is readily available. The station consist of a part of main shore of about twelve hundred feet square and persons under observation could be quarantined only by sentries detailed for the work.

"A mile outside and in front of the station is a government breakwater, with enough water inside it for ships and schooners, but heavy draught vessels have to lie in the exposed offing at a point where the bay is twelve miles across, and exposed to the violence of storms from the ocean.

"For boarding these vessels there is a revenue cutter and a smaller vessel, the 'Pasteur,' the latter fitted up with sulphur di-oxide furnace and a tank with disinfecting solutions, for use in disinfecting ships and cargo. At the time of the visit this vessel was out of repair and not available for use, and at any time when the water is rough it cannot be used alongside of ships anchored outside.

"To the west of the breakwater is an iron pier having from twenty to twenty-five feet of water. This pier could be utilized for placing thereon a disinfecting plant for use in small vessels. For large vessels, baggage and effects would have to be brought for disinfection to the pier in a 'lighter.' The pier is not on the quarantine grounds and is not available for present use, the War Department having jurisdiction. At present the vessels, as the 'Ohio,' are detained in the offing, and baggage, ship and cargo are disinfected only by the ship's steam. This is to be supplemented shortly by a large now at Philadelphia, which is fitted up with a steam disinfecting chamber for baggage. The chamber is well calculated for the work, but the commission

fears that the barge cannot be made available for use alongside vessels in rough weather. Owing to the exposed condition of the anchorage, and the impossibility of a deep water wharf being constructed, the commission does not consider the station as being well chosen, since it cannot be made available at all times for rapid and effective work."

The Bombay Hook location has an important practical advantage that does not belong to any of the other island sites along the Delaware, namely: That railroad facilities from either the New Jersey or Delaware side are such as would permit the transportation of cargoes without delay or troublesome transhipment, since a line of track now extends to Smyrna, Del., and car floats could be carried to Bay Side, N. J. In modern quarantine practice it is often advisable to remove cargoes without delay, since many articles are either so perishable that they cannot be detained at the quarantine station, or are of such texture and source that they cannot be suspected of conveying infection. Since the channel separating Bombay Hook island from the main land is not a navigable stream, an obstruction to it by means of a low causeway without drawbridge would not be objectionable. This is not true of any of the other islands, since both Pea Patch and Reedy islands are separated by channels too wide to be crossed by any but high, level or drawbridges of great expense. The railroad facilities that are easily obtainable at Bombay Hook would permit the handling of such cargoes as tin, iron, ore, china, clay, empty petroleum barrels, plaster, etc., without treatment or detention.

HENRY LEFFMANN,
BENJ. LEE,
ANDREW OSBORNE,
Commission.

I desire to offer this minority report:

In my opinion there are three (3) places on the Delaware river where a quarantine station could be established and successfully maintained. These are the present Lazaretto embracing Little Tinicum, the second is Reedy island, the third the Pea Patch where Fort Delaware is situated. All my information relative to the latter leads me to conclude that the Federal Government will not permit this plant to be taken by the adjacent states for any purpose. Of all the sites for quarantine the best is the Lazaretto with Little Tinicum island. The latter is admirably suited for a hospital and disinfecting plant, the former is equally well placed for a boarding station and place

of detention, while the ship channel is so wide at this point as to afford the greatest convenience to arriving vessels; indeed this location is an ideal one for a quarantine, there is room and opportunity for the utmost extension of quarantine improvements, such as I have examined at New York and Boston, while as a protection to Philadelphia and other cities and towns adjacent to the Delaware, no other location can at all compare with the one here recommended. There is, however, a very strong objection made by the citizens of the city of Chester to the adoption of this site on account of its nearness to their town, and to a believed hindrance which quarantine proximity would make to the development of the surrounding country. As against this view the board of health, of Chester, some little time since, adopted a resolution of protest against the removal of quarantine from its present (Tinicum) location, so that opinions differ at the point of opposition.

Protests against quarantine removal have been made to this commission by the Board of Trade, Maritime Exchange and other commercial bodies of Philadelphia, and I feel sure that at no point can the insurance against disease by quarantine be as well maintained as at the present location, when its proximity to this city and its supervision by its authorities, combine to give Philadelphia the most absolute protection from plague and all imported diseases. If, however, the objection to the Lazaretto and Little Tinicum sites made by the citizens of Chester prove insuperable, I consider Reedy island the next desirable place and so recommend, provided the authorities of the State of Delaware can be induced to give the State of Pennsylvania at least equal power and rights in the establishment, maintenance and government of an interstate quarantine.

The dimensions of Reedy island are fully set forth in the majority report and I request attention to its advantage, which, although under the circumstances are secondary, are also the best probably to be had. All of which is

Respectfully submitted,

JOHN HUGGARD.

Philadelphia, January 14, 1893.

To the Senate Nominating Members of the Board of Examiners of Candidates for the Office of Inspector of Mines.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, February 27, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following-named gentlemen to be Mining Engineers on the Board of Examiners, whose duty it shall be to inquire into the character and qualifications of candidates for the office of Inspector of Mines, to serve for the term of four years, under the provisions of the act of assembly approved the 30th day of June, 1885, viz:

W. A. Wilson, Greensburg, Westmoreland county.
George L. Miller, Bitumen, Clinton county.

ROBT. E. PATTISON.

To the Senate Nominating Henry Heffley Associate Judge for Somerset County.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, February 27, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Henry Heffley, of Somerset, to be associate judge in and for the county of Somerset, to serve until the first Monday of January, 1894, vice George W. Pile, deceased.

ROBT. E. PATTISON.

To the Senate Nominating Samuel Gustine Thompson a Judge of the Supreme Court.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 2, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Samuel Gustine Thompson, Philadelphia, Pa., to be a judge of the supreme court until the first Monday of January, A. D., 1894, to fill vacancy therein, occasioned by the resignation of Hon. Edward M. Paxson.

ROBT. E. PATTISON

To the Senate Nominating Mason Weidman an Additional Law Judge for the Twenty-First Judicial District.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 2, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Mason Weidman, Pottsville, Pa., to be additional law judge in and for the Twenty-first judicial district, composed of the county of Schuylkill, until the first Monday of January, A. D. 1894, to fill vacancy caused by the death of Hon. David B. Green.

ROBT. E. PATTISON.

To the Assembly Vetoing a Joint Resolution Recommending the Establishment of a Road Department of the National Government, Etc.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, March 2nd, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, the Concurrent Resolution of the House of Representatives, concurred in by the Senate February 28th, 1893, requesting the National Government to establish at Washington a Road Department similar to the Agricultural Department, &c., and requesting "said Senators and Representatives" "to use their best influence to secure the passage of legislation which will effectuate the ends" recommended in this resolution.

The considerations I have advanced in my communication disapproving another Joint Resolution of the General Assembly, this day returned, apply in the main to the present Concurrent Resolution. The impending expiration of the session of the present Congress renders it altogether improbable that any expression of opinion of the General Assembly of this Commonwealth should have influence upon its action. Apart from this view, I am by no means convinced that the establishment of a new department of the Federal Government, for the purpose of promoting the construction and maintenance of public roads, is a wise recommendation. In the history of the Federal Government, an increase of what are known as Cabinet Offices has been made with great deliberation. The recent addition of the Agricultural Department was made in deference to the largest and most important interest in our material development. Important as is the subject of constructing and maintaining public

roads, it is one that has always been regarded as essentially a concern of local government for regulation by the States, counties and townships. To transfer its regulation or control to the Federal Government would be a step toward centralization which I am not prepared to approve. Such minute differentiation of all the subjects of popular interest as would create a special department of the Federal Government for the supervision of public roads would justify and logically lead to an enormous multiplication of cabinet offices and of the departments of the Federal Government. I do not believe that this tendency is in accordance with a sound public policy nor with the views of the great majority of the people of our Commonwealth.

ROBT. E. PATTISON.

To the Assembly Vetoing a Joint Resolution Requesting the Representatives of Pennsylvania in Congress to Oppose a Measure to Permit States to Levy a Tax on Traveling Salesmen.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, March 2nd, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, the Concurrent Resolution of the House of Representatives, adopted February 28th, 1893, requesting the Senators and Representatives of Pennsylvania in Congress "to vote and use their influence against the passage of the bill introduced by Congressman Henry St. George Tucker, of Virginia, authorizing States to levy a tax on traveling salesmen." I am reluctant to interpose my veto against the well-settled

judgment of the Representatives of the people in General Assembly upon any subject of public interest, but, inasmuch as the Constitution provides that resolutions of this character shall be presented to the Executive, and before they shall take effect shall be approved by him, or being disapproved shall be re-passed by two-thirds of both houses, I am bound to express my own judgment upon the subject matter thereof.

No copy of the proposed Act of Congress, to which this resolution relates, accompanies it, and I am therefore not informed as to the character of the proposed Federal legislation, nor have I any reason to believe that the people of this Commonwealth generally have made it a subject of information and concern. There is no assurance, therefore, that the resolution of the General Assembly expresses their views upon the questions involved, and without some indications of such sentiment among the people of our own Commonwealth, I doubt the propriety of such interference in pending Federal legislation.

So far as the purposes of the legislation protested against can be gathered from the resolution before me, it relates to a subject of commerce among the several States. If "the bill introduced by Congressman Henry St. George Tucker" proposes to permit and authorize States to regulate commerce among the several States, it would be contrary to the Federal Constitution and utterly void. If the States do not have the power to regulate this kind of commerce, no act of Congress could give it to them. If they already have the power to levy such taxes, no Act of Congress can take it away, and none is needed to confer it upon them. Moreover, the term of the present Congress is rapidly drawing to a close. No action of the General Assembly of this Commonwealth, transmitted to that body at this stage of the session, can have any possible effect on its legislation.

I am therefore constrained to withhold my approval of this resolution.

ROBT. E. PATTISON.

To the Senate Conveying Information as to the Expenses of the Board of World's Fair Managers for Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 16, 1893.

Gentlemen:—

I HAVE RECEIVED A COPY OF THE RESOLUTION of the Senate of March 14, 1893, certified by the chief clerk, requesting certain information as to the expenses of the Board of World's Fair Managers for the State of Pennsylvania, and the state of the appropriation of three hundred thousand dollars made in 1891.

Replying thereto I beg to say:

1. A special committee of the Board of World's Fair Managers, appointed March 2, 1893, made a report on March 9, 1893, upon the subject of their appointment, viz: to inquire into the financial status of the work, basing their statements and estimates upon the original appropriation of three hundred thousand dollars, and upon the figures as given to them by the executive commissioner and shown by the books of the secretary. I transmit herewith their report of the amount already paid for the various items and departments of the Pennsylvania exhibit, the amount of contracts in connection therewith already made, and the estimated expenses necessary to complete the work on its present lines. This statement, for the details of which I refer

you to the report of the committee, sets forth that $143,771.94 had, at that time, been paid out for all purposes. The amount of contracts unpaid aggregated $72,618.17; the estimated expenses necessary to complete the work on present lines were $83,609.89, an aggregate of three hundred thousand dollars. I also transmit the financial statement of the board from the books of the secretary, dated March 15, 1893.

2. As to whether or not the appropriation of three hundred thousand dollars made in 1891, will be sufficient to meet "all the requirements of the board," I refer you to the following extract from my message of January 3, 1893, to the General Assembly:

"It is very gratifying to be able to say to the legislature that the attention and industry of all connected with the commission which have characterized the work of the board, has brought the result which enables Pennsylvania to give an exhibit on a scale commensurate with the honor and dignity of the State, at a cost within the amount appropriated by the legislature. All of the expenses and demands of the exhibition of the state have been carefully considered and are within the figures I have given."

I have no reason to modify the opinion then expressed.

3. The Board of Managers, as a board, have not solicited nor authorized the solicitation of private contributions in its name to aid the board in the completion of its work. Whether or not any official thereof has solicited such contributions I am not informed further than appears from the communication of the executive commissioner to the Executive, which I herewith transmit to your honorable body.

ROBT. E. PATTISON.

BOARD OF WORLD'S FAIR MANAGERS OF PENNSYLVANIA.

Financial Statement.

March 9, 1893.

	Amount paid.	Amount of contract unpaid.	Estimated expenses necessary to complete the work on present lines
Committees.			
Committee "A," Agriculture, Food and its Accessories, Forestry and Forest Products, Agricultural Machinery,	$2,883 62	$9,116 38	.....
Dairy,	.....	.....	$3,000 00
Committee "B," Horticulture, Viticulture, Pomology, Floriculture, etc.,	3,257 96	4,742 04	.....
Fruits,	.....	300 00	.....
Grape exhibit,	.....	1,000 00	.....
Committee "C," Live Stock, Domestic and Wild Animals,	2,984 96	1,015 04	.....
Committee "D," Fish, Fisheries, Fish Products and Apparatus of Fisheries,	244 10	7,755 90	.....
Committee "E," Mines, Mining and Metallurgy,	6,372 16	.....	24,327 84
Committee "G," Transportation, Railways,			
Committee "F," Machinery,	901 17	.....	.....
Vessels and Vehicles,	814 06	.....	.....
Committee "H," Manufactures,	1,764 57	.....	.....
Committee "J," Electricity and Electrical Appliances,	590 39	.....	.....
Committee "K," Fine Arts, Painting, Sculpture, Architecture and Decorations,	3,228 22	.....	2,271 78
Committee "L," Liberal Arts, Education, Literature, Engineering, Public Works, Music and the Drama,	1,418 42	.....	9,281 58
Committee "M," Ethnology, Archæology, Progress of Labor and Inventions,	3,521 30	.....	2,878 70
Woman's work,	5,801 03	.....	4,198 97
Special Appropriations.			
Miss Garrett's School,	.....	2,000 00	.....
Children's Home,	.....	1,000 00	.....
Total,	$34,081 96	$26,929 36	$45,958 87

Board Expenses and Salary List.

	Amount paid.	Amount of contract unpaid.	Estimated expenses necessary to complete the work on present lines.
Board meetings, salaries and incidentals, to March 2, 1893, inclusive,	$30,571 67		
Expenses of board to Chicago, October, 1892,		$1,462 00	
Two additional board meetings,			$1,000 00
Dedication of State building,			4,00 0
Executive Committee and Building Committee meetings,			2,0 0
Clerical force to May 1, 1893,			2, 0 0
Assistant to secretary to January 1, 1894,			0 0
Executive Commissioner to January 1, 1894,			3,2 6
Chief clerk to January 1, 1894,			1,2 0
Incidental expenses of Executive Commissioner's office to May, 1893,			0
Incidental expenses of Executive Commissioner's office from May 1, 1893, to January 1, 1894,			2,000 0
Assistance to exhibitors at Chicago during Exposition,			2,000 0
Total,	$30,571 67	$1,462 00	$ 1,2 0

State Building.

	Amount paid.	Amount of contract unpaid.	Estimated expenses necessary to complete the work on present lines.
Construction.			
Nesbit & Coder,	$61,988 00	$7,138 00	
A. Gladwin,		750 00	
Geo. W. Shaw & Co.,		2,625 [illegible]	
W. H. Doyle,	600 00	200 00	
D. H. Burnham, wiring,	3,200 00		
Henry Dibblee Company,		1,718 00	
Huneker & Son,		4,000 00	
J. J. Doyle,	3,000 00	1,500 00	
Seth Thomas Clock Company,		550 00	
Henry McShane Manufacturing Company,	100 00		
Hyde Park Gas Company,	22 50		
Painting exterior of State building,			$200 00
Flag pole, bannerette, etc.,			125 00
Six stoves, drums, etc.,	76 85		
Lehigh and Franklin Coal Company and carpentering,	141 40		
Watchman to May 1, 1893,	75 00		100 00
Fitting postoffice and parcel room,			500 00
Hose, sprinklers, etc.,			200 00
Furnishing.			
I. E. Walraven, carpets,		2,865 00	
I. E. Walraven, draperies,		4,115 80	
Henry Dibblee Company, furniture,		8,349 60	
Ladies' parlors,	584 49	4,915 51	
Incidentals.			
Advertising,	750 00		
Mansfield Merriman, consulting engineer,	87 34		
Premiums to architects,	800 00		
Architect's commissions,	3,800 00		975 00
C. D. Arnold, prints of building,	22 45		
Architect's traveling expenses,	571 98		300 00
E. C. Coke & Bro., flags,	245 00		
Hartmann Brothers & Co.,		55 50	
Fire extinguishers,	275 00		
Photographs of building,	5 00		
Expenses building committee,	114 60		
Wm. Hamilton, grounds and walks,	1,607 20		292 80
Maintenance.			
Insurance,	1,250 00		
Waukesha Hygeia mineral water,			1,500 00
Electric light,		6,400 00	
City water,			600 00
Coal,			500 00
Care of grounds,			400 00
Repairs, toilet room supplies, etc.,			2,286 22
Two watchmen,			840 00
Two matrons,			900 00
Two male attendants,			540 00
Two female attendants,			600 00
Sweeping and cleaning,			1,000 00
Hostess,			600 00
Matron,			450 00

State Building—Continued.

	Amount paid.	Amount of contract unpaid.	Estimated expenses necessary to complete the work on present lines.
Postoffice and bureau of information, three employes,	.....	.....	1,800 00
Care of parcel rooms,	.....	.....	720 00
Messenger,	.....	.....	420 00
Stenographer,	.....	.....	540 00
Total,	$79,118 31	$45,226 81	$16,549 02

Recapitulation.

Amount paid as per above statements,	$143,771 94
Amount of contract unpaid,	72,618 17
Estimated expenses necessary to complete the work on present lines,	83,609 89
	$300,000 00

BOARD OF WORLD'S FAIR MANAGERS OF PENNSYLVANIA.

FINANCIAL STATEMENT.

March 15, 1893.

Resources.		
State appropriation,		$300,000 00
Expenditures.		
Expenses of members of the board in attendance upon board meetings,	$3,822 50	
Salaries of executive commissioner and employes of the board,	20,227 85	
Executive commissioner for incidentals,	13,500 00	
Pennsylvania building at Chicago,	79,118 31	
Miscellaneous,	604 26	
Installation of exhibits at Chicago,	130 48	
Expenses of committees and attendance at meetings thereof—		
Committee "A,"	2,883 62	
Committee "B,"	3,257 96	
Committee "C,"	2,984 96	
Committee "D,"	244 10	
Committee "E,"	6,672 16	
Committee "F,"	901 17	
Committee "G,"	814 06	
Committee "H,"	1,764 57	
Committee "J,"	590 39	
Committee "K,"	3,228 22	
Committee "L,"	1,418 42	
Committee "M,"	3,521 30	
Committee on Woman's Work,	5,801 03	
Cash in hands of treasurer,	34,081 96	
Balance,	120,000 00	
		$300,000 00

Pennsylvania Office of
Board of World's Fair Managers,
Harrisburg, March 15, 1893.

Hon. Robert E. Pattison, Harrisburg, Pa.:

My Dear Sir: In reply to your communication would say that neither the commission, executive committee or any member thereof, advised, directed or suggested the collection of money throughout the state to assist the Exposition. Purely on my own volition, on my own account and to protect myself, I suggested to several members of our commission, who promptly responded, and other prominent gentlemen, that they supplement my own subscription of $1,000 in order that I might feel safe in using the entire state appropriation to secure a proper exhibit from Pennsylvania, and to provide an insurance fund to protect me in case a deficiency arose through any unforseen contingency or misfortune.

In other words the matter is purely personal, concerns no one by myself.

Yours truly,

A. B. FARQUHAR,
Executive Commissioner.

Arbor Day Proclamation. 1893.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania.

A PROCLAMATION.

The introduction of "Arbor Day" in Pennsylvania has brought with it an increased activity in means and measures for the preservation of the Forests of the State and the encouragement of tree planting. The good results consequent upon its observance have been witnessed with interest and pleasure by the citizens. The rapid disappearance of the native forests, the constant and indiscriminate destruction of the woodlands, the influence of forests in their relation to floods and droughts, to climate and atmosphere, to health and

comfort, to pleasure and entertainment, to occupation and profit, all combine to make the occasion one deserving of the support of every citizen having at heart the future welfare of the State.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, in accordance with custom, which has received the official sanction of our General Assembly, whereby the Governor is requested to appoint annually a day to be designated as Arbor Day in Pennsylvania, and to recommend by proclamation to the people, on the days named, the planting of trees and shrubbery in the public school grounds and along the public highways throughout the State, do hereby designate and proclaim

Saturday, the 15th day of April, and Saturday the 29th day of April, A. D. 1893,

To be observed as Arbor Day in Pennsylvania.

The selection of either of the above designated days is left to the discretion of the people in the various sections of the Commonwealth, each locality observing that day which is deemed to be more favorable on account of climatic conditions.

Let the people lay aside for a season the habitual activities of the day, and devote sufficient time thereof to plant a forest, fruit or ornamental tree along the public highways and streams, in private and public parks, about the public school houses and on the college grounds, in gardens and on the farms, thus promoting the pleasure, profit and prosperity of the people of the State, providing protection against floods and storms, securing health and comfort, increasing that which is beautiful and pleasing to the eye, comforting to physical life and elevating to the mind and heart, and, by associations and meetings, excite public interest and give encouragement to this most commendable work.

Given under my hand and the Great Seal of the State, this twenty-third day of March, in the year of our Lord one thousand eight hundred and ninety-three, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:

A. L. Tilden,

Deputy Secretary of the Commonwealth.

To the Senate Nominating Trustees of the State Lunatic Hospital at Harrisburg.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 10, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following-named persons to be trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg, for the term of three years from April 7, 1893, viz:

William K. Alricks, Harrisburg, Dauphin county.
Louis W. Hall, Harrisburg, Dauphin county.
F. Asbury Awl, Harrisburg, Dauphin county.
George F. Bear, Reading, Berks county.

ROBT. E. PATTISON.

To the Senate Nominating Nathan C. Schaeffer Superintendent of Public Instruction.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 18, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Nathan C. Schaeffer, Kutztown, Berks county, to be Superintendent of Public Instruction, for the term of four years, to be computed from April 1, 1893.

ROBT. E. PATTISON.

To the Senate Vetoing "An Act to Amend 'An Act to Regulate the Publication, Binding and Distribution of the Public Documents of this Commonwealth,' Further Regulating the Printing and Distribution of Smull's Legislative Handbook, and Expediting the Publication Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Office of the Governor,
Harrisburg, April 14, 1893.

Gentlemen:—

I HEREWITH RETURN TO THE SENATE, WITHout my approval, Senate bill No. 111, entitled "An act to amend clause sixteen of section one of an act, entitled 'An act to regulate the publication, binding and distribution of the public documents of this commonwealth,' further regulating the printing and distribution of Smull's Legislative Hand Book, and expediting the publication thereof."

The purpose of this bill is to increase the edition of

the book known as "Smull's Legislative Hand Book," to be printed, bound and distributed at the expense of the commonwealth, from twenty thousand, as provided by existing laws, to thirty-two thousand. The history of this publication by the state is one of steadily increasing numbers in the edition and of expense to the commonwealth. The printing act of May 1, 1876, provided for ten thousand copies to be published, and for the sum of three hundred dollars allowance to the compiler for his work in revising, editing and supervising the printing of each edition. During the legislative session of 1885, an act was passed authorizing an extra edition of fifteen thousand copies. In returning that bill to the House of Representatives, without my approval, I said:

"It seems to me this is unnecessary extravagance, for which the state would receive no adequate return. The fact that the book contains information which may be interesting or useful to many is no reason why the state should supply it profusely to the citizen. The same argument would avail to justify making the government the publisher and gratuitous distributor of many other volumes of generally useful public information. The reasoning would be quite as good, or better, for the free distribution of Purdon's Digest and this indeed, was the excuse invoked years ago for great extravagance in the issue of that work, which waste is now happily stopped.

"The utility of Smull's Hand Book, or the need of a general dissemination of the information it contains, as a governmental measure, is more fanciful than real. While it may be gratifying to the legislators to be able to distribute such books, more curious than needful to their constituents, it seems to the Executive that the existing laws make ample provisions for this purpose, and that the passage of the bill entails upon the state uncalled-for expense."

The act of April 16, 1887, regulating the publication of the public documents of the commonwealth, in section 16, provided for a regular edition of twenty thousand copies and an allowance of five hundred dollars to the compiler. This law has been in effect ever since, and I am informed that, under this statute and the present contract for the public printing, the work of compilation on the edition for 1893 has already been finished and the mechanical work of printing the book is at least two-thirds completed. The act which I herewith return is intended to apply to this edition, so that the proposed increased edition of twelve thousand copies will be in the nature of a new order to the state printer will have to be paid for as such. I am informed that the cost of issuing the edition, as provided for by existing laws, will be nearly $25,000, and should the bill under review be approved, the total cost of this work will be scarcely less than $40,000. Convenient as this publication may be for the use of many persons in the state, I know of no public reasons to justify the gratuitous circulation of thirty-two thousand copies of it at an average expense of about $1.25 per volume. The number provided for by existing laws enables each member of the Senate to secure over one hundred copies and each member of the House about sixty. This is certainly a very liberal allotment, and even the proposed addition of fifty per cent. would probably not be adequate to supply all the demands which will be made upon them for any book or other thing of value which the commonwealth shall provide for gratuitous distribution. There are no considerations in favor of an edition of thirty-two thousand which might not be urged for an edition of fifty or one hundred thousand, and the constantly increasing tendency towards public expenditures of this kind should be checked instead of encouraged.

Moreover, the present bill increases the allowance to the compiler of the work from five hundred to twelve hundred dollars, notwithstanding the work of compilation for the present edition has already been done under the terms of and in contemplation of the old law, and obviously the work of revision, editing and compilation is not increased by the enlargement of the edition to be printed. This unwarranted increase of seven hundred dollars is, of course, trifling in comparison with the waste of public moneys contemplated in the main purpose of the bill, but it is so vicious in principle and so utterly without warrant in reason that if there were no more serious objections to the bill I would consider it fatal.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act Relative to the Uniformity of Proxies."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, April 14, 1893.

Gentlemen:—

I HEREWITH RETURN TO THE HOUSE OF Representatives without my approval, House bill No. 27, entitled "An act relative to the uniformity of proxies."

The purpose of this act is not clearly expressed in its title. It purports to have relation "to the uniformity of proxies," but it does not give adequate notice that it is intended to invalidate all proxies given hereafter or heretofore for corporation stock-holders' meetings, within three months of the time when they are offered.

Nor does it secure "uniformity" of proxies, for under its limitations proxies may be given three months or one day, or at any period intervening these times before the day when they are to be used. This result is very far from uniformity.

It has heretofore been the policy of our corporation laws to permit corporations themselves, through their stock-holders, to regulate the matter of proxies, according to the varying circumstances of each particular case, and no sufficient reason has been adduced why this privilege should not continue. It is true that under the general corporation law proxies must be executed within three months to enable the holders to vote at elections to increase capital stock, but the present statute proposes to extend its sweeping provision of like character to "any purpose connected with" any corporation. It goes so far as to apply to all proxies "heretofore" given. There may be very many instances in which proxies have been heretofore given, or may hereafter be given, without prejudice to any interest, more than three months before the same are offered. No reason has been shown to me to exist, why if private corporations, in the regulation of their own concerns, see fit to permit this, the Commonwealth should intervene by general statute to prevent it.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act Providing for the Expenses of the School Directors of this Commonwealth in Attending the Triennial Convention to Elect the County Superintendent, and Providing Penalties for Receiving any Money or Valuable Thing for the Attendance or Vote at the Same.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, April 24, 1893.

Gentlemen:—

I HEREWITH RETURN TO THE HOUSE OF Representatives, without my approval, House bill No. 29, entitled "An act providing for the expenses of the school directors of this Commonwealth, in attending the triennial convention to elect the County Superintendent, and providing penalties for receiving any money or valuable thing for the attendance or vote at the same."

It has heretofore been the policy of the Commonwealth to not permit any compensation to be paid directly or indirectly for persons serving in the office of school director. It has always been assumed that public spirited citizens, fit to fill this office, could be found to serve without compensation. The responsible duty of once in three years, attending a triennial convention to elect a county superintendent, is likely to be performed quite as well without compensation as with the pittance provided for in this bill. I have no reason to believe there is any public demand whatever, from any but a few of the smaller counties of the State, for such legislation. Some of these, it is reported to me, the practice for county superintendent, paying the expenses of directors attending the convention to vote for them has become an abuse. If so, the fault lies with the communities in which such practices prevail. The existing laws against bribery on the part of can-

didates for public positions, or of persons who elect them, are ample to meet such abuses, if rigidly enforced. There is no reason to saddle upon all the counties of the State, the large aggregate expense liable to result from this bill, because of these rare instances in which the profligacy of candidates or the impecuniosity of directors have led to abuses.

ROBT. E. PATTISON.

To the Senate Vetoing "An Act Requiring the Instruction and Practice of Physical Culture in the Public Schools of Cities of the First and Second Class."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, April 24, 1893.

Gentlemen:—

I HEREWITH RETURN TO THE SENATE, WITHout my approval, Senate bill No. 34, "requiring the instruction and practice of physical culture in the public schools of cities of the first and second class."

A bill very similar in its features to the present was enacted by the General Assembly during the session of 1891, and met with my disapproval for reasons stated in my communication to the House of Representatives under date of April 16, 1891. In that message I took occasion to say:

"This act seeks to impose upon the school directors, boards of school control or boards of education of the public schools of all the cities of the commonwealth, the duty of providing for instruction in physical culture, including any failure on the part of school boards in this respect by withholding from them their re-

spective shares of the state appropriation of school monies, and presumably to compel teachers to pass examination in these added branches after January 1, 1892.

"I am not informed of any demand or necessity for imposing this restriction and penalty upon the various school boards of cities, nor of any reason why city school districts and no others should be subject to the operations of this bill. The school department of the commonwealth has not discovered or pointed out any occasion for such legislation. There is more requirement at present for a simplification of the modes of instruction in the public schools of the commonwealth than for onerous additions thereto. Beyond the comparatively few and simple fundamental branches required by general law, the school boards of each district are best qualified to judge of the wants of the public schools under their supervision.

"As the law stands, 'they shall direct what branches of learning shall be taught in each school.' If successive legislature impose additional branches upon them, the curriculum may eventually become so burdensome as to practically defeat the purpose and change the character of the public schools. Where instruction in physical culture and calisthenics is desirable and practicable, it can now be given under direction and control of the boards in the several districts. Where, for local reasons, which may seem good to them, the directors are not prepared to enforce such instruction in some departments or in some schools, I am not willing to lend my approval to any enactment which compels them to do so under the severe penalty of loosing their share of the school appropriation.

"The best result can be attained by permitting the widest exercise of the principle of local control which pervades the school system of our commonwealth, and by allowing the people of the various school districts

to regulate their own local affairs and to prescribe the courses of study which may seem best to those whom they elect to control their schools."

The present bill is even more objectionable than that which then met my disapproval, inasmuch as it is special to cities of the first and second class, and therefore is intended to apply only to Philadelphia, Pittsburg and Allegheny. While I have seen no reason to change my mind with regard to the considerations which then seemed to me to be cogent against such legislation, I am constrained to hold that no reasons exist for the imposition of this bill upon cities of the first and second class which might not be urged with equal force in applying it to other cities of the commonwealth. For the reasons which I have quoted from my previous message, reinforced by the special character of this legislation, I return it with my most emphatic disapprobation.

ROBT. E. PATTISON.

To the Senate Vetoing "An Act to Confer Upon the Board of Public Education or Any Board of School Directors in the Several Districts of the Commonwealth, Power to Sell Public School Property when Said Board of Public Education or Board of School Directors Shall Deem it Expedient to Do So, and to Provide for the Application of the Proceeds Derived from the Sale Thereof to School Purposes."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, April 26, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, Senate bill No. 32, entitled "An act to confer upon the Board of Public Education, or any board of school directors in the several districts of

the commonwealth, power to sell public school property when said Board of Public Education or board of school directors shall deem it expedient to do so, and to provide for the application of the proceeds derived from the sale thereof to school purposes."

My general objection to this bill is that, so far as it is intended to apply to the school districts and school directors generally of the commonwealth, it is superflous. They have already been invested with the authority to purchase and to sell public school property for such purposes. If, as I have reason to believe, it is intended to confer upon the school board or district school boards of the city of Philadelphia such authority, there are good public reasons why it should not prevail. In that city the property used for school purposes is the property of the city. The expenses of the public schools are paid out of the treasury of the city and the funds used for school purposes are under the control of the treasurer of the city. If, therefore, it is proposed that the municipality, which owns the property and furnishes the money for school purposes, shall be deprived of the control of said property and the same shall be handed over to the school board or the district boards to be disposed of, it is an invasion of the rights of the city to control and dispose of its own property, which the executive of the commonwealth should not countenance.

ROBT. E. PATTISON.

To the Senate Vetoing "An Act Creating the Office of Assistant Superintendent of Public Schools in Cities of the Second Class."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, April 26, 1893.

Gentlemen:—

I HEREWITH RETURN TO THE SENATE, WITHOUT my approval, Senate bill No. 262, entitled "An act creating the office of assistant superintendent of public schools in cities of the second class."

This act provides that school directors of cities of the second class shall have the right to elect "assistant superintendents" of public schools. It is intended to apply only to Pittsburg and Allegheny. While such classification of cities, and special legislation by force of it for some purpose, has been approved by the supreme court, I can conceive of no reason why it should extend to the creation of this office. There are certainly no considerations justifying the stablishment of such an office in cities of the second class that would not apply with equal force to cities of the higher and lower classes. It seems to me, therefore, to be special legislation in an offensive form, and this would be sufficient reason to justify me in withholding my approval. Besides, I am in receipt of most emphatic protests against this bill by the officials of the city of Pittsburg and by other prominent citizens and representatives of public sentiment, and I have every reason to believe that its passage has been secured for a special and particular purpose. In the absence, therefore, of any good reasons for the creation of a new office I deem it wise to leave the control and supervision of the public schools in the cities of Allegheny and Pittsburg to their respective boards of education who have full authority in the premises.

ROBT. E. PATTISON.

To the Senate Nominating George M. Cresswell Associate Judge for Huntingdon County."

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 26, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, George M. Cresswell, Petersburg, Pa., to be associate judge in and for the county of Huntingdon, until the first Monday of January, **1894, vice Tobias Foreman, deceased.**

ROBT. E. PATTISON.

To the Assembly Vetoing a Resolution "Directing the Chief Clerks of the Senate and House of Representatives to Make Arrangements for the Necessary Postage Stamps, so that the Legislative Record May be Mailed According to the Requirements of the Postoffice Department, and that the Appropriation Committee be Directed to Provide for the Cost of the Same in the General Appropriation Bill."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 1, 1893.

Gentlemen:—

I HEREWITH RETURN TO THE SENATE THE concurrent resolution of the Senate and House of Representatives directing "The chief clerks of the Senate and House of Representatives to make arrangements for the necessary postage stamps so that the Legislative Record may be mailed according to the requirements of the postoffice department, and that the Appropriation Committee be directed to provide for the cost of the same in the general appropriation bill."

This resolution is wholly indefinite as to the amount of money contemplated to be appropriated in accordance with its direction, and its approval would virtually commit me to like approval of an item in the appropriation bill, the extent and nature of which I have now no opportunity to measure. I have been supplied with no information as to the number of copies of the Legislative Record which are mailed, nor as to the persons to whom, the purposes for which, or the persons by whom they are mailed by the clerks of the Senate and House of Representatives. In so far as their distribution is a matter of public interest or importance, the object aimed at by this resolution may be commendable, but if it is proposed that copies of the Record, without limit, mailed by the members of the General Assembly to individuals, shall be paid for by the commonwealth, I am of the opinion such expenditure is unwarranted in view of the fact that the one hundred dollars for postage, allowed each member, is ample to cover this purpose. In the absence, therefore, of any such information, and by reason of the lack of any discrimination in the terms of this resolution between the public and private purposes for which expenditure is to be made, I am constrained to withhold my approval from it.

ROBT. E. PATTISON.

To the Assembly Vetoing a Joint Resolution Authorizing the Appointment of a Commission to Investigate and Consider the Advisability of the Establishment of a State Printing Office, to be Owned and Controlled by the State.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 1st, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, to the House of Representatives, the Concurrent Resolution of the Senate and House of Representatives, authorizing the appointment of a commission "to investigate and consider the advisability of the establishment of a State Printing Office, to be owned and controlled by the State, where all the public printing shall be done, &c."

In the Message communicated to the General Assembly by the Executive at the beginning of its present session, the subject of the Public Printing was given special attention. Subsequently a communication from the contractor for the State Printing was made the occasion of a special message to the General Assembly. These communications brought to the attention of the Legislature, early in the session, the whole subject of State Printing. A regular standing committee of the two houses has been organized for months and a special committee to investigate the manner in which the public printing is executed has had the subject under consideration for some months, and has not yet concluded its labors or made its report. I am of the opinion that these two committees have full authority to investigate the subject contemplated by this resolution, and that no occasion exists for the appointment of a special committee—even if past experience had demonstrated the practicability of

such commissions or the likelihood of them rendering any valuable service, commensurate with the expense attending the prosecution of their labors. Moreover, a contract for the State Printing for the next four years has already been executed. Before its completion at least two more regular sessions of the General Assembly will be held, during which the subject of Public Printing can be deliberately considered.

ROBT. E. PATTISON.

To the Assembly Vetoing a Joint Resolution Authorizing the Appointment of a Commission to Investigate and Report to the Next Legislature How Many Unnaturalized Persons are now Quartered Upon the State in Various Charitable and Criminal Institutions.

Commonwealth of Pennsylvania.
Executive Department,
Harrisburg, May 1st, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, to the House of Representatives, the Concurrent Resolution of the Senate and House of Representatives, authorizing the appointment of a commission "to investigate and report to the next Legislature how many unnaturalized persons of foreign birth are now quartered upon the State in our various charitable and criminal institutions, and to recommend such measures as in their judgment they deem best to correct the evil complained of; said commission to serve without compensation except the actual expenses incurred by them in prosecuting such investigation, not including any expenses on account of time given to

such investigation, and necessary clerk hire, to be provided for by an item in the General Appropriation Bill or by special act making an appropriation therefor. The provisions of this resolution not to apply to those unnaturalized persons who have served and have been honorably discharged from the army of the United States or of the State militia."

On the 24th of April last I approved a Resolution requiring the State Board of Public Charities to ascertain annually from the State institutions the number of inmates, their nationality and residence, and to report the same to the Senate and House of Representatives.

This duty was properly placed upon the Board of Public Charities. Under the act of April 24th, 1869, the said Board is given full power to look into and examine the condition of all charitable and correctional institutions within the State, financially or otherwise. It has the officers and facilities to accomplish the work. I have no doubt that it will be able to return valuable statistics to the next Legislature in time to inaugurate legislation to correct any abuses which may exist. To create another commission to perform the same duties already imposed upon the Board of Public Charities would be to embarrass its work and entail upon the Commonwealth a wholly unnecessary expense.

ROBT. E. PATTISON.

To the Assembly Vetoing a Joint Resolution Authorizing the Appointment of an Investigating Committee to Investigate Certain Charges Against the State Hospital for the Insane at Warren.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 5th, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, the Joint Resolution of the General Assembly providing for a joint committee of five members of the House and three members of the Senate to investigate the charges made against the State Hospital for the Insane, at Warren, Pa., by W. L. Peart, Esq.

The preamble of this Resolution recites grave and serious charges against the management of the State Hospital, at Warren, Pa., by the said Peart; inter alia want of proper medical treatment of patients, neglect, abuse and torture of the inmates, brutality by their custodians, maltreatment, and a large number and variety of other offenses, some of which, it is admitted, have already been the subject of judicial investigation and prosecution in the courts.

These charges, as the preamble sets forth, were originally filed with the Executive. They were promptly referred to the Board of Public Charities and its Committee on Lunacy, official bodies of faithful public servants, especially well qualified for such investigations. Of them Dr. Thomas G. Horton, Dr. George L. McLeod, Thomas W. Barlow, James B. Scott, George W. Starr, Cadwalader Biddle and Henry M. Wetherill, met more than a year ago for the purpose of making an investigation. The names of these gentlemen are a sufficient guarantee to me and to the people of the Commonwealth that such an inquiry would be conducted by

them intelligently, honestly and fearlessly. Their report, under date of December 15th, 1892, to the Board of Commissioners of Public Charities, and to be found published in the last annual report of the trustees of the State Hospital for the Insane at Warren, Pa., to which I respectfully refer you, attests the fidelity and thoroughness with which they prosecuted their inquiry. Notwithstanding the accuser, upon whose charges your resolution is based, failed to appear to make them good and to produce any witnesses to the truth of his serious allegations, the trustees, superintendent and assistants of the institution insisted upon the fullest inquiry into their management. They were examined under oath, and this eminently reputable and capable committee expressed the opinion that Mr. Peart's charges are "almost wholly false, libellous and defamatory," and have "no other foundation than in such incidents as are liable to occur in any hospital for the insane." "The refutation of Mr. Peart's charges was full, complete and satisfactory."

Under the law creating the Board of Public Charities, and defining their duties, they and their general agent have full power to examine into the condition of this and like institutions at all times, and to inquire into the official conduct of the trustees, directors and other officers and employees of the same and "are authorized to administer oaths in examining any person or persons relative to any matters connected with the inquiries authorized by this act."

Mr. Peart, who is recited by the Resolution under consideration to be "a reputable lawyer and a member of the Bar," had three weeks notice of the time fixed for the investigation and must be presumed to known the provisions of the law. His pretext that the Board of Public Charities had no power to subpoena and compel attendance of witnesses to testify before them, and that the parties upon whom he depended to sustain his

charges refused to appear and testify unless subpoenaed, is, in my judgment, a flimsy subterfuge. I am of the opinion that his charges have already received all the investigation they merit, and have been pronounced groundless and libellous by an efficient body of reputable men, they do not deserve the consideration of your Body, and do not warrant the appointment of any committee nor the incurring of any further expense. The tendency to devise unwarranted investigations into, and sensational attacks upon, the management of eleemosynary institutions is to be deprecated rather than encouraged. The exercise of it tends to demoralize and disorganize the best conducted institutions and to provoke breeches of discipline and disorder among their inmates and subordinate employees.

I am quite ready to exert all my power, as the Executive of the Commonwealth, directly and through the established agencies of the law, to investigate and suppress all abuses existing in their management and to punish all offenders, and I have no reason to doubt that the courts and the Commonwealth's prosecuting officer in the county of Warren are entirely adequate to the punishment of all crimes committed within its jurisdiction; but I am not willing to countenance the efforts to gratify private grudges or wreak vengeance upon faithful public officers who may have incurred the displeasure of individuals, nor am I willing to approve of expenditures of public moneys to investigate charges which have been thoroughly exploded and are stamped by responsible authority as false and defamatory.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act to Empower all Municipal Corporations of this Commonwealth to Appropriate Money for the Payment of Firemen in Service, and of Firemen not in Service, Disabled in the Performance of their Duties as Firemen."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 4, 1893.

Gentlemen:—

I HEREWITH RETURN, TO THE HOUSE OF REpresentatives, without my approval, House bill No. 8, entitled "An act to empower all municipal corporations of this Commonwealth, to appropriate money for the payment of firemen in service and of firemen not in service disabled in the performance of their duties as firemen."

The main purpose of this bill is to empower all municipal corporations, to appropriate money for the payment of firemen not in service, disabled in the performance of their duties as firemen. So much of the bill as empowers municipal corporations to appropriate money for the pyament of firemen in the service of fire companies, for the protection of property from fire, is unconstitutional, because in conflict with section 7, article IX of the Constitution, which provides that "The General Assembly shall not authorize any county, city, borough, township or incorporated district to obtain or appropriate money for any corporation, association, institution or individual."

The provisions of the bill which seeks to establish a pension system for firemen not in service is alike violative of the literal provision of the Constitution which I have quoted, and of the spirit of section 18, of Article III, which forbids appropriations for pensions other than military services.

In returning this bill without my approval I am fol-

lowing the precedent established by my veto of a similar bill during my previous term as the Executive of the State, in a communication dated July 2, 1885. Like considerations seem to have had weight with my distinguished immediate predecessor in his veto dated May 31, 1889, of a bill providing for a pension fund for aged or disabled policemen in certain cities of the Commonwealth.

ROBT. E. PATTISON.

To the Senate Approving "An Act Amending 'An Act to restrain and Regulate the Sale of Vinous, Spirituous, Malt or Brewed Liquors, or Any Admixture Thereof,' Authorizing Bondsmen from any Part of the County to Execute a Bond and Tax the Amount Thereof," with the Governor's Comments Thereon.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 4, 1893.

Gentlemen:—

I HAVE APPROVED AND SIGNED SENATE bill No. 22, entitled "An act amending the ninth clause of the fifth section of the act, entitled 'An act to restrain and regulate the sale of vinous, spirituous, malt or brewed liquors, or any admixture thereof,' approved the thirteenth day of May, Anno Domini one thousand eight hundred and eighty seven, authorizing bondsmen from any part of the county to execute a bond, and fixing the amount thereof."

Also Senate bill No. 95, entitled "An act detaching the county of Lebanon from the Twelfth judicial district and erecting the same into a separate judicial district,"

In giving my approval to the foregoing bill I deem it only fair to the General Assembly and to the people of the commonwealth that I should express the considerations which have moved me to approve a measure, the effect of which is to add another to the total number of judges of the courts in the commonwealth, contrary to my frequently expressed conviction that a too "rapid increase in the number of judges has detracted from the dignity of the judicial office without adding to the efficiency of the courts or raising them in public esteem."

The effect of this bill is to erect Lebanon county, with 48,131 population—and a tendency toward increase in population and business—into a separate judicial district. While the constitution provides that a county of this population "shall constitute a separate judicial district and shall elect one judge learned in the law," I am not convinced that the judicial business of the county of Lebanon is adequate to engage the entire time and attention of one judge. Its peculiar geographical location—situated as it is between four large counties, each constituting separate judicial districts with two or more judges—renders it impossible to form it with any other county or counties into a convenient single district, and I am constrained to permit its erection into a separate judicial district, not alone by the mandate of the constitution, but by the conviction that the largely increased and increasing business of the Dauphin county court requires the exclusive attention of two judges in the district which it comprises.

The population of Dauphin county under the last census was 96,977, an increase of over 20,000 in the preceding decade, with more than a corresponding increase in the elements which give rise to litigation. It considerably exceeds in population Northampton county, which has long had two judges, is nearly even with that of York, which has been for some years a double district, and has 7,600 more population than Chester,

which has for years had two judges. The district which has comprised Dauphin and Lebanon counties has more population than Berks county with three judges, Lackawanna with three judges, and almost as much as Schuylkill with three judges. By the erection of Lebanon county into a separate district, the two associate judges in that county will hereafter be dispensed with.

Moreover, the court of Dauphin county is empowered with special and peculiar jurisdiction, not only of vast importance to the commonwealth and of great dignity and responsibility, but which has imposed upon it rapidly increasing labors of great magnitude. By numerous and successive acts of the legislature, the court of common pleas of Dauphin county has been clothed with jurisdiction throughout the state for the purpose of hearing and determining all suits, claims and demands whatever at law and in equity in which the commonwealth may be a party plaintiff, for accounts, unpaid balances, unpaid liens, taxes, penalties and all other causes of action, real, personal and mixed.

The experience of the past few years, the records of the auditing, fiscal and law departments of the State government and the reports of the Attorneys General all prove how enormously the litigation to which the commonwealth is a party has increased. A comparison of the report of the law department for the years 1883 and 1884, with the report for 1891 and 1892, illustrates most vividly the extent of this increase. The total number of claims received for collection for the years 1883 and 1884 was $40,486.47. The same claims for the years 1891 and 1892 amounted to $1,387,927.83. The collections, largely made through suits in the Dauphin county courts, for the first named two years were $274,355.93; for the last period, $874,506.70. I have at hand no record of the number of appeals taken from the settlements of the auditing and fiscal officers to the

Dauphin county court for the earlier years, but the record of the past few years shows how rapidly litigation thus instituted has been increasing: In 1889 they numbered 74; in 1892 there were 127; already during the present year 108 appeals have been taken and it is estimated that, owing to the questions arising under the revenue bill of 1891, the total number of appeals for 1893 will not be less than 300. The continuing popular demand and legislative agitation for changes in the revenue laws gives promise of incessent litigation of this character.

It is also worthy of consideration that many of the cases of the commonwealth, subject to this jurisdiction, not only involve new and peculiar questions arising in the construction of the tax statutes, but they are decisive of momentous interests to the commonwealth and upon them hangs the collection or the failure to secure millions of dollars of revenues.

It is to be remembered, too, that almost without exception the commonwealth cases are tried before the court without a jury, and this custom, which is admirably suited to this class of business, imposes much additional labor on the trial judges. All the evidence must be sifted and weighed, offers and objections must be considered and disposed of in writing, and the fact must be stated in a detailed and orderly manner. The value to the supreme court of this preliminary work cannot be over estimated. Instead of being confronted with a voluminous record, bristling with exceptions and hard to understand because of its complexity, the record is now put into such a shape by the court below that the precise questions are instantly seen and thus the labors and intelligent action of the appellate court are greatly facilitated. All of this work, however, is new in the last ten years and has added very much indeed to the labors of the Dauphin county court.

Besides the tax question of this vast interest, with

the settlement of which the Dauphin county court must, in the first instance, deal, many cases peculiar to its jurisdiction arise at the instance of the commonwealth in the construction and enforcement of the corporation laws generally, involving writs of quo warranto, injunctions and other equity proceedings, the regulation and dissolution of insurance companies, the construction of the election laws and the numerous special cases which have arisen, and are likely to arise continually, under the ballot reform act and its proposed amendments clothing this court with authority to hear and determine objections to the validity of certificates and nomination papers for the entire state.

In view of all this, I am of the opinion that the volume of work imposed upon the court of common pleas of Dauphin county, is not only far greater in extent, but of vaster consequences, in every view of it, than that which is committed to the jurisdiction of any other two judges in the commonwealth. The district is especially fortunate at present in the incumbency and prospective long tenure of two jurists of notable learning, capacity and integrity, which fact is not without consideration in my approval of this measure.

ROBT. E. PATTISON.

To the Senate Vetoing "A Supplement to An Act to Designate the Several Judicial Districts of the Commonwealth as Required by the Constitution, Constituting Jefferson County as a Separate Judicial District, and Providing for the Election of a President Judge Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 4, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, Senate bill No. 92, entitled "A supplement to an act approved August the seventh, one thousand eight hundred and eighty-three, entitled 'An act to designate the several judicial districts of the commonwealth as required by the constitution,' constituting Jefferson county as a separate judicial district and providing for the election of a president judge thereof."

While the purpose of this bill, as expressed in its title and text, is to erect Jefferson county into a separate judicial district, its effect is to also create a separate judicial district for Clarion county. Clinton and Jefferson counties together now constitute the Eighteenth judicial district with a single judge. At the time this district was formed, of the counties constituting it Clarion had a population under the decennial census of 1880 of 40,328, and Jefferson had 27,935. Since then the population of Clarion, according to the last decennial census, has decreased to 36,802, and that of Jefferson has increased to 44,005, with a corresponding shrinkage and increase respectively of judicial business, as I am informed. The entire business of the district comprising both counties, I have reliable authority for saying, is less in volume than it was fifteen years ago, and by the close of the present year the docket can be well cleared of all cases ready for trial.

I am not unmindful of the fact that the fifth section of the fifth article of the constitution provides that "whenever a county shall contain 40,000 inhabitants, it shall constitute a separate judicial district and shall elect one judge learned in the law," and that, under this provision, Jefferson county may be entitled to a separate judge, but that proposition is not now before me in a distinct enactment, disconnected from the effect of this bill to create into a separate judicial district a county with 3,200 less population than the constitutional requirement, and with a tendency toward decrease in litigation.

Moreover, these two counties are in proximity to other counties of less than 40,000 population, which may, under the provisions of the constitution be formed into convenient single districts or attached to contiguous districts. The schedule to the constitution, in section fourteen, provides for a judicial apportionment after each decennial census, and when that mandate of the fundamental law is complied with by the General Assembly and due provision is made for such an arrangement of the district as may join Clarion county with other counties or attach it to some other county, without increasing the total number of judges, the propriety of constituting Jefferson county as a separate judicial district can be better considered on its merits.

ROBT. E. PATTISON.

To the Senate Nominating Managers of the Pennsylvania Reform School at Morganza.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 8, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following-named persons to be managers of the Pennsylvania Reform School at Morganza, Washington county, for the term of four years, computing from the first Monday of May, 1893, viz:

Joseph Albree, Allegheny City, Allegheny county.

Thomas Weightman, Allegheny City, Allegheny county.

Alex. J. Pentecost, Allegheny City, Allegheny county.

Jas. Allison, D. D., Sewickley, Allegheny county.

Jas. McClellan, Morganza, Washington county.

Prof. D. J. McAdam, Washington, Washington county.

Wm. B. Chambers, Canonsburg, Washington county.

John B. Gault, Union township, Washington county.

ROBT. E. PATTISON.

To the Senate Nominating Thomas Potter, Jr., Director of the Nautical School at Philadelphia.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 8, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Thomas Potter, Jr., Philadelphia, Pa., to be a director of the Nautical School at Philadelphia, for the term of six years, computing from May 3d, 1893.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act to Amend an Act, Entitled 'An Act to Authorize the Sheriff of the City of Philadelphia to Advertise the Sale of Real Estate in Three Daily Newspapers,' Which was Approved on the Third Day of February, Anno Domini One Thousand Eight Hundred and Sixty: Prividing for a Publication in the German Language.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 10, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 87, entitled "An act to amend an act, entitled 'An act to authorize the sheriff of the city of Philadelphia, to advertise the sale of real estate in three daily newspapers, which was approved on the third day of February, A. D. 1860, providing for a publication in the German language."

The purpose and effect of this bill are to increase the costs and charges of advertising sheriff's sales in the city of Philadelphia. I know of no necessity nor public demand for such legislation. The general complaint is that the costs of this class of advertising are already too onerous. There is no difficulty experienced by the sheriff of the city of Philadelphia, in securing the adequate and legal advertisement of the sales of real estate at the rates already established by law.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act to Provide for the Publication of the History of the Birds and Mammals of Pennsylvania in the Quarterly Report of the State Board of Agriculture, and Making an Appropriation for Preparing the Same."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 10, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, House bill No. 135, entitled "An act to provide for the publication of the history of the birds and mammals of Pennsylvania, in the quarterly reports of the State Board of Agriculture and making an appropriation for preparing the same."

This bill proposes to set apart a portion of the quarterly report of the State Board of Agriculture, modestly limited to three hundred pages in any one year, for the publication of a revised history of the birds and mammals of Pennsylvania. It has been but a short time since the State of Pennsylvania, at a large expense, provided for the publication of the history of

its birds. So far as a revised history of the birds and mammals may be connected with, or a necessity to, the agricultural interests of the State, the publication of the same, as a portion of the agricultural reports, may be safely left to the judgment of the board which has control of that publication; there is no necessity whatever for express legislation on this subject. So far as this or any other special branch of natural history may be a subject of popular interest, I am of the opinion that the publication of such works, as may be justified by the public demand, can be safely left to the enterprise of private publishers. It is no more a subject of special State concern than the free distribution of any other works of scientific, religious or literary interest.

ROBT. E. PATTISON.

To the Senate Vetoing "An Act to Authorize the Trial of Issues on the Statement and Affidavit of Defense and the Taking of Judgment for the Amount Admitted to be Due Therein."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 11, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, Senate bill No. 39, entitled "An act to authorize the trial of issues on the statement and affidavit of defense and the taking of judgment for the amount admitted to be due therein."

The second section of this act, which provides that judgment may be taken for such part of a claim in suit as is admitted to be due, and execution issue for the

collection of the same, and the case proceed for the trial of the remaining part in issue, seems to me to be commendable; but, inasmuch as the courts of the commonwealth are at present empowered to make rules of practice providing for this procedure; I see no such necessity for this legislation, as would induce its approval standing in connection with another proposition that does find executive favor.

The first section of this act contemplates a marked innovation upon the present procedure in civil cases in this commonwealth, and practically abolishes pleading in all actions in which an affidavit of defense has been filed. Broad differences of opinion exist among the judges and other members of the legal profession in this state as to the new methods of procedure which from time to time have been proposed, discussed, agitated and some of them made the subject of legislative action. The relative methods of the old forms of pleading and the new or "code" methods of procedure have been for many years a subject of spirited discussion, and I am not prepared to say there is as yet any well settled concensus of opinion among lawyers upon the subject. So far as these methods have been in part engrafted upon our system by the so-called procedure act of 1887, they have undoubtedly given rise to much controversy, and the judgment of our highest judicatory has been that the so-called reformed procedure has failed to accomplish anything "toward the brevity, clearness, the accuracy or the convenience of legal forms." Certainly great regard is due to the settled methods "sifted, tested and condensed as they have been by generations of the acutest intellects ever devoted to a logical profession."

In the absence of any general expression from the members of the bar of the state in favor of such legislation, I feel constrained to hold that the adoption of these new methods should not be by piecemeal nor in

detached laws, but by some general system which has received the careful consideration of a body of trained members of the profession which is most seriously affected. The particular bill under discussion would certainly lead to confusion in practice, for the reason that the changes in pleading which it proposes, would apply only to actions on contracts, and, indeed, to only a part of these, as it would not affect suits in which administrators, executors, municipal corporations or other parties not required to file affidavits of defence were involved. Under the existing laws and practice, the plaintiff, in an action on a contract, can always inform himself of the real nature of any defense the defendant intends to make in answer to the plaintiff's case, and to accomplish this object in an informal way is more desirable than by means of a detailed statement, such as the affidavit of defense, if to be used as a pleading, would necessarily become. When it shall be the manifest desire of the great body of the legal profession in Pennsylvania, to have a general system of reform in its methods of legal procedure adopted, I have no doubt their request will be respectfully heard by the legislature and due provision will be made for the adoption of a comprehensive and homogenous system. Even then the questions and difficulties arising under it will no doubt be manifold, and, as has been the experience of other states, the numerous cases of practice which will occur will occupy much of the time of the court of appellate jurisdiction.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act to Regulate the Liability under policies of Insurance on Buildings and Structures Against Fire and Lightning in the Commonwealth of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 16, 1893.

Gentlemen:—

I HEREWITH RETURN TO YOU, WITHOUT MY approval, House bill No. 58, entitled "An act to regulate the liability under policies of insurance on buildings and structures against fire and lightning in the Commonwealth of Pennsylvania."

The real intent and purpose of this bill is to make insurance companies liable for the whole amount of the insured value of buildings and structures destroyed by fire and to not limit their liability by the actual value of the property. Such conditions are not, in my judgment, in accordance with a sound public policy nor with healthful insurance. In the session of 1891 the General Assembly enacted a law, providing for a uniform or standard insurance policy. That standard has been adopted by the Insurance Department and the companies, and under it tens of thousands of contracts have been made, involving hundreds of millions of dollars. The first condition of this standard policy, and therefore, the law of insurance in Pennsylvania is that the insuring company "shall not be liable beyond the actual cash value of the property at the time any loss or damage occurs and the loss or damage shall be ascertained or estimated according to such actual cash value, with proper reduction for depreciation however caused, and shall in no event exceed what it would then cost the insured to repair or replace the same with material of like kind and quality."

All experience tends to prove that this is a wise limi-

tation upon the rights of the insured. Over insurance and over valuation are conducive to fraud, perjury and arson. They breed crimes the most dangerous and demoralizing. Commonwealths which, in obedience to a false public clamor have engrafted a contrary principle upon their insurance laws, have reaped the whirlwind and in the end honest insurers will have to pay the penalty in largely increased rates. The experience of our sister and neighboring State of Ohio has been that under the "valued policy" law the amount of risks written increased rapidly, but the losses increased even more strikingly and bore the relation of sixty and four-tenths per cent. under the new system to forty-three and two-tenths under the old.

The Insurance Commissioner of Ohio, says in his official report: "Statistics bear me out in the assertion that this law has fostered incendiarism, and the bad effects have been alike inflicted upon the insuring public and the insurance companies doing business in Ohio." The Chamber of Commerce of the city of New York, took occasion to protest against the passage of a similar law in New York in the following language: "These bills contain such provisions respecting the adjustment of losses by fire insurance companies as will, if they become legal enactments, tend to increase the crime of arson, to encourage the perpetration of frauds, to enhance greatly and improperly the amounts of losses to be paid by insurance companies, and lead not only to a degredation of public morals, but also to an increase of the burdens of honest citizens by involving their property more frequently in destruction by fires caused by incendiaries, and by making it necessary to pay such greatly increased rates for insurance as will be required to pay the increased losses."

The National Convention of Insurance Commissioners, after considering this great question from every

standpoint, adopted the following resolution at their annual convention in 1889, held in Denver:

"Resolved, That insurance is indemnity, and every insurance which enables the owner of property to recover more than its value is an inducement to crime. It is therefore the sense of this convention that laws which compel the payment of the full amount written in the contract, though the actual loss is shown to be less, are repugnant to enlightened principles and an enlightened policy, and that contracts of insurance indemnity may be better reformed by other methods than arbitrary legislation."

The provision of the bill under review, which compels an agent of the insurer to fix the insurable value after proper inquiry and investigation will have a tendency to obstruct rather than to facilitate business.

I am well aware it may be answered that the present act is in the alternative and is not in direct conflict with the provisions of "the standard policy," inasmuch as it provides that, if the whole amount mentioned in the policy shall not be paid, the insurer shall recover the excess of premiums paid with interest. This is, however, simply putting a premium upon over insurance. It gives to the insurer a double chance, viz: to first, attempt to recover more than his loss; and failing in that to take advantage of his wrong by recovering the money he had risked in his venture to cheat the insurance company. Such a law is not needed to protect honest insurers, those who insure their property beyond its value are not entitled to any special protection.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act Repealing so Much of Section One of 'An Act to Amend the Provisions of the First Section of 'An Act for the Destruction of Wolves and Wild Cats as Provides a Premium for the Destruction of Foxes, so far as the Same Applies to Washington County.'"

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 18, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 201, entitled "An act repealing so much of section one of an act approved April twenty-fifth, one thousand eight hundred and eighty-nine, entitled 'An act to amend the provisions of the first section of an act approved May 13, 1887,' entitled 'An act for the destruction of wolves and wild cats as provides a premium for the destruction of foxes so far as the same applies to Washington county."

This bill repeals a general law by excepting from its provisions one county, to wit: Washington county. The bill is a clear violation of the clause of the Constitution which provides "nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law."

Without inquiry into the wisdom of the provisions of the bill, I withhold my approval for Constitutional reasons.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act to Amend 'An Act to Enlarge the Jurisdiction of Justices of the Peace, and Regulating the Fees of Constables Making Sales Under this Act,' so as to Allow Aldermen, Magistrates and Justices of the Peace Fees for affidavits of Claim Tax and Copies Thereof, and also Authorizing them to Tax Certain Additional Costs."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 18, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 32, entitled "An act to amend an act, entitled 'An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act,' approved July seventh, Anno Domini one thousand eight hundred and seventy-nine, so as to allow aldermen, magistrates and justices of the peace fees for affidivits of claim tax and copies thereof, and also authorizing them to tax certain additional costs.

This bill gives to aldermen, magistrates and justices, in addition to what is now allowed by law, a fee of twenty-five cents for each affidavit filed, and twenty-five cents for each copy thereof made by them. Such a charge may not be extravagant or out of the way for the work performed. But the act further adds the authority to tax "such other costs as are now by law taxed upon the recovery of judgments in several courts of common pleas." These costs would include the three dollars attorney fee, and in the event of an appeal, the judgment recovered in the court would include in the cost of six dollars for attorney fee on one judgment. Most of the claims upon which these costs would be taken are small, and the costs in many cases

would be out of all proportion with the amount involved. Such an increase would be manifestly burdensome to the unfortunate. There is no demand for these increased costs upon debtors, and I am unwilling to approve this measure at a time when the better policy is in the direction of decreasing rather than of increasing fees.

ROBT. E. PATTISON.

To the Assembly Vetoing "A Supplement to 'An Act to Enforce Against Railroad Corporations the Provision of Section Seven, of Article Sixteen, of the Constitution,' Providing a Jurisdiction for the Trial of Offenses Against Said Act and this Supplement, and Imposing Penalties for the Violation of the Terms Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 19, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 42, entitled "A supplement to an act, entitled 'An act to enforce against railroad corporations the provisions of section seven of article sixteen of the Constitution,' approved May seventh, Anno Domini one thousand eight hundred and eighty-seven, providing a jurisdiction for the trial of offenses against said act and this supplement, and imposing penalties for the violation of the terms thereof."

This act proposes to further define offenses against the act of May 7, 1887, to enforce against railroad corporations the provisions of the Constitution, and to enlarge the jurisdiction for the trial of the same. I am

in hearty sympathy with any well considered legislation increasing the penalties for violating the laws and Constitution of the Commonwealth regulating railroad corporations, and I am not prepared to dissent from the provisions of this bill so far as they relate to future offenses against the act of 1887, and this proposed supplement thereof. But the peculiar feature of this law, which extends its application to the trial of all criminal offenses under the act to which it is a supplement, heretofore committed, is in my judgment, a vicious and dangerous one. It proposes to make such offenses not only triable within the jurisdiction in which they were committed, but in any one of the many counties through which the railroad passes or is intended to pass, concerning or about the construction of which any of the offenses named in said act has been committed. This act proposes, therefore, to make offenders, formerly triable only within the jurisdiction of their offenses, subject to be taken into any one of the many counties to which the interest or caprice of the prosecutor may direct him.

I cannot but regard this as one of those retrospective statutes which eminent authority says "have always been considered a violation of the ethical principle that every law prescribes a rule for the future and not for the past." It has been pressed upon my attention that this particular act is intended to meet a particular case of great hardship, but this is certainly not sufficient consideration to justify the legislative or executive branch of the government in departing from well grounded principles of legislation especially in the enactment of laws affecting personal rights and liberty.

I am reminded that the highest judicial tribunal of the country has apparently countenanced an act permitting a trial to be had in one county for an offense which before the act has been passed, was only triable

in another jurisdiction; but even that opinion was qualified by the warning that the "provision securing to the accused a public trial within the county or district in which the offense is committed is of the highest importance. It prevents the possibility of sending him for trial to a remote district, at a distance from friends, among strangers, and perhaps parties animated by prejudices of a personal or partisan character." The same high authority has declared that an act intended to oust the court of its jurisdiction of a particular case then before it, is legislation of an unusual character, and "hardly to be justified except upon some imperious public exigency."

In view of these and a long line of similar warnings, I am unwilling to lend my approval to legislation of this character, intended and directed for a particular case, the effect of which, as I have said, would be to provide a new jurisdiction for offenses committed before the passage of the statute.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act Granting an Annuity to Gideon King, Late a Private in a Company of State Infantry, Called the Jackson Blues."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 19, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 170, entitled "An act granting an annuity to Gideon King, late a private in a company of State infantry called the Jackson Blues."

This is a bill to give one hundred and ninety-two dol-

lars to a private citizen, of whose military service to the Commonwealth, there is no recital whatever in the bill. I am not informed as to any of the circumstances of the case so as to enable me to determine whether or not the bill is subject to the constitutional prohibition of Article III, section 18, which forbids the granting of gratuities to any person except for military services.

It has been indirectly brought to my notice that on a Fourth of July, fifty five years ago, the beneficiary of this measure was injured by the premature explosion of his musket, causing its ramrod to pass through his hand; but whether this accident occurred while he was engaged in the service of the State or not I have no means of knowing. At best, however, the claim is so stale that it is certainly not meritorious, and the extraordinary lapse of time since it originated creates an almost irresistable presumption against it.

Moreover, successive Executives have suggested that if there is to be established in this State a system of pensions for persons injured while in its military service, such provision should be made by a general law covering the whole subject and providing for careful examination into the facts of each case. As has been remarked by my immediate predecessor, special legislation of this kind "is extremely dangerous and may lead to grave imposition upon the legislature." An attempt at this late day to secure an annuity from the Commonwealth for injuries alleged to have been suffered more than a half century ago is scarcely entitled to serious consideration.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act to Provide for the More Effectual Protection of the Public Health in the Cities and Boroughs of this Commonwealth."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 23, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, House bill No. 171, entitled "An act to provide for the more effectual protection of the public health in the cities and boroughs of this Commonwealth."

This bill proposes to regulate by general law the treatment of contagious diseases by the medical and municipal authorities of every borough and city. It requires that in such cases, houses and premises in which any of various diseases, from cholera to croup may prevail, shall be conspicuously placarded with announcements of the existing disease. It regulates the time and manner of conducting funerals and prescribes the persons who shall attend them, and very many other matters of minutiae and detail, which it seems to me can be best referred to the discretion of the boards of health in the cities and boroughs of the Commonwealth. If any vestiges of local self government is to be left to the several municipalities and communities of the Commonwealth, certainly they can be entrusted with the regulation in detail of their sanitary matters. Conditions vary in different cities, boroughs and sections of the State. While the largest freedom should be given to the local authorities to protect the public health, it is unfair and inconsistent with our system of government to impose upon these several communities an inflexible and uniform system of administration in such matters. Cities and boroughs are authorized by general acts of assembly to

regulate their own internal affairs. From time to time they have been empowered to erect boards of health and to make rules for their government. During the present session I have approved a bill extending this power to boroughs. Surely these local board of health can safely be permitted to make fit regulations for each particular municipality. While the provisions of this act, on the whole, may be such as to recommend them to the local boards of health, they should be the subject of municipal and not of State legislation.

ROBT. E. PATTISON.

To the Senate Nominating W. Hayes Grier to be Superintendent of Public Printing and Binding.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, May 23, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advise and consent of the Senate, W. Hayes Grier, of Lancaster county, to be superintendent of public printing and binding for the term of four years, to commence on the first day of July, A. D. 1893.

ROBT. E. PATTISON.

To the Assembly Vetoing "A Further Supplement to the Tenth Section of 'An act to Establish an Insurance Department,' Requiring Fire Insurance Companies or Associations not Incorporated Under the Laws of this State to Pay to the Treasurer of the Several Cities, Boroughs or Townships, an Annual Bonus on Premiums on the Insurance Effected Within the Limits of Such Cities, Boroughs and Townships, and Regulating the Collection Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 24, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 30, entitled 'a further supplement to the tenth section of an act, entitled 'An act to establish an insurance department,' approved the fourth day of April, Anno Domini one thousand eight hundred and seventy-three, requiring fire insurance companies or associations not incorporated under the laws of this State to pay to the treasurer of the several cities, boroughs or townships an annual bonus on premiums on the insurance effected within the limits of such cities, boroughs or townships, and regulating the collection thereof."

The purpose of this bill is to divert from the State Treasury to the treasurers of the several cities, boroughs and townships of the Commonwealth one-half of the annual bonus on premiums paid by fire insurance companies or associations not incorporated under the laws of this State. This bonus is a tax laid upon foreign insurance companies for the privilege of doing business within this Commonwealth, and is in every essential feature a State tax levied by the authority, and presumably for the purpose of the Commonwealth.

It produces annually about $450,000 revenue, divided between the fire and life insurance companies in the proportion of $150,000 from the fire insurance companies, and $300,000 from the corporations doing the business of life insurance.

There is no inherent reason why the revenues thus raised by the State for State purposes should be diverted to the cities, boroughs and townships, nor is there any reason why the revenues, thus raised from the same sources, and by the authority of the same law, should be divided; nor why a distinction should be made between so much of this revenue as is raised from fire insurance companies and so much of it as is collected from life insurance companies; nor, indeed, is there any good reason why taxes laid upon one class of corporations, the taxation of which it has been the policy of the Commonwealth to reserve for State uses, should be diverted to the municipalities, and the tax of all other classes be retained for State purposes. Indeed the tendency to raise money by State taxation for State purposes, and to divert the same from the State Treasury to the treasuries of the local governments, is one that should be checked instead of accelerated.

There are at present two conspicuous instances of this system of taxation and finance, viz: the collection of the tax on personal property and the division of three fourths of it to the county treasuries, and the division of the revenues arising from liquor licenses; but in both of these cases the subjects of taxation are purely local and the diversion from the State to the local treasuries is made in part because of the largely redundant State revenue, and in part because the objects of taxation, viz: the owners of moneys at interest and the licenses are within the immediate purview of the municipal authorities.

Under the operations of the bill under consideration, foreign fire insurance companies, whose simple and sin

gle duty is now to account to the State authorities, would be required to keep accounts and report to every city, borough and township into which their business might by any possibility extend, while the treasurer of every township, borough and city would be required to keep accounts with, and maintain and pursue claims against, every foreign fire insurance company which might happen to have any property insured within their respective limits. The thousands of townships within this Commonwealth, in which foreign insurance companies may have property insured, have no distinct officer known as the treasurer of a township. Their revenues are raised for road and school purposes, controlled by wholly distinct boards and held by different treasurers. This law does not specify whether the moneys to be paid to the "treasurers of townships" shall be for school, road or poor purposes, and contention would at once arise over the right to this fund. I regard the act as calculated to demoralize and disturb our financial system, to create unprofitable contention and unnecessary trouble, and to afford a precedent for similar legislation, which will detach from our general State system of revenue one after another of the present objects of taxation, and tend to break down the uniformity which should characterize it. If the revenues of the Commonwealth are to be distributed among its various local and municipal divisions it should be done upon some system of equality. The distribution which this bill proposes would necessarily be uneven. In some localities, where foreign fire insurance companies do the bulk of the business, the proportion received would be large, while other cities, boroughs and townships would necessarily receive little or none.

I am constrained to believe that the real purpose of this bill is to accomplish indirectly what has hereto

fore failed by reason of the executive disapproval of measures intended to divert the bonus on insurance premiums to firemen's relief associations organized in the cities, boroughs and townships of the Commonwealth. Such a bill met with the disapproval of my immediate predecessor in a veto message to the Senate of May 6th, 1887, wherein he forcibly expressed the grave constitutional objections to such legislation. They were re-asserted in the objections filed by the present Executive to a like bill in the office of the Secretary of the Commonwealth, June 18th, 1891. I refer to these for the purpose of showing that the present measure gains nothing from its manifest purpose to accomplish what has hitherto failed for sound public reasons.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act for the Relief of Mrs. Barbara E. Fleck, Mother of J. Emerson Fleck, Late a Corporal in the Sheridan Troop of Cavalry, National Guard of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 24th, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 247, entitled "An act for the relief of Mrs. Barbara E. Fleck, mother of J. Emerson Fleck, late a corporal in the Sheridan troop of cavalry National Guard of Pennsylvania."

It has been repeatedly pointed out to the Legislature that the laws of our Commonwealth have established no general system of pension for services in the Na-

tional Guard, and that without such a system the Executive approval of bills to meet special cases could not reasonably be expected. Moreover, the grant of moneys in this bill is in direct violation of the 18th Section of the third Article of the Constitution, there being no pretense that the subject selected for the State's bounty ever rendered any "military services" to the Commonwealth.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act Granting a Pension to Sarah J. Temple, Widow of E. L. Temple, Late of Company H, Eighty-third Regiment, Pennsylvania Volunteer Infantry."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 24th, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 220, entitled "An act granting a pension to Sarah J. Temple, widow of E. L. Temple, late of company H, eighty-third Regiment, Pennsylvania Volunteer Infantry."

However deserving the beneficiary of this bill may be, a grant of State moneys to her cannot be made without a violation of the Constitution of Pennsylvania. That instrument, in the 18th section of its third article prohibits the appropriation of any money of the State for charitable or benevolent purposes to any person except in requital for military services. My predecessors in the Executive office have uniformly held that a proper construction of this section was that the military service for which pensions could be grant-

ed must have been rendered by the object of the proposed legislation. There is no pretense that Mrs. Temple ever rendered any military service; indeed, the recital of this bill is that her husband was not even mustered into the United States service. For reasons, therefore, addressed again and again to the Legislature by myself and predecessors, this bill must be vetoed.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act to Reimburse the Several Counties of the Commonwealth for the Re-erection and Re-construction of County Bridges Which Were Swept Away by the Flood, During the Latter Part of the Month of May and the Beginning of the Month of June, in the Year One Thousand Eight Hundred and Eighty-nine, and Authorizing and Directing the Auditor General and State Treasurer to Audit the Accounts Submitted to Them by the County Commissioners of the Several Counties of this Commonwealth and Directing the State Treasurer to Pay Over to the Said Several Counties the Amounts so Expended."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 25th, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 149, entitled "An act to reimburse the several counties of the Commonwealth for the re-erection and re-construction of county bridges which were swept away by the flood during the latter part of the month of May and the beginning of the month of June in the year one thousand eight

hundred and eighty-nine and authorizing and directing the Auditor General and State Treasurer to audit the accounts submitted to them by the county commissioners of the several counties of this Commonwealth and directing the State Treasurer to pay over to the said several counties the amounts so expended."

This bill proposes to reimburse certain counties of the Commonwealth for one-half the net cost of re-erecting and re-constructing county bridges swept away by the floods of 1889. It is in direct violation of that provision of the Constitution which forbids the Legislature from making appropriations of public moneys to any community. There is no warrant of law for voting the moneys of the Commonwealth for such purposes. The most distinguished commentator on the present Constitution, himself a conspicuous member of the able body of men who framed that instrument, says: "The word 'community' in the above section was used by the Convention in a social or political sense to indicate a body of inhabitants in a city, town, district, or other place or division of the State; and it was specially intended that for such communities 'calamity Acts'—Acts of relief for losses by fire, flood, and like causes, involving appropriations from the State Treasury—should not be passed. Such appropriations cannot be made to a body of inhabitants, or to individuals among them, at any time or place. The provision is not confined to calamity Acts, but its application to them was beyond question a leading object of the Convention. No appropriation to any individual, community, denominational or sectarian institution, corporation or association, for charitable, educational or benevolent purposes, shall be made. All trusts and other devices having in view the accomplishment indirectly of the forbidden purpose are as much and as plainly forbidden as direct and open appropriations." (Buckalew on the Constitution, p. 89.)

It was in accordance with this view that Governor Hoyt, on June 30th, 1881, vetoed a bill which appropriated $10,000 from the State Treasury to the Milton School District to assist in the re-erection of public school buildings destroyed by the calamitous fire of May 14th, 1880. It ought not to be necessary to repeatedly call the attention of the General Assembly to these plain inhibitions of the fundamental law; and the Executive should not be required to subject himself to misrepresentation and misunderstanding by the disapproval of measures which, though perhaps proceeding from a creditable and charitable impulse, are in direct violation of the Constitution.

ROBT. E. PATTISON.

To the Senate Vetoing "An Act to Authorize the Erection and Maintenance of Eel Weirs and Fish Baskets in the Rivers of this Commonwealth for the Catching of Eels for a Limited Period in Each Year for the Period of Four Years."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 25, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, Senate bill No. 249, entitled "An act to authorize the erection and maintenance of eel weirs and fish baskets in the rivers of this commonwealth for the catching of eels for a limited period in each year for the period of four years."

Notwithstanding approval of this measure has been urged upon me by delegations from various communities of the state, of which certain citizens are inter-

ested in the erection and maintenance of fish baskets, I feel constrained to be governed by the experience and advice of the commissioners of fisheries, to whom the policy of our commonwealth has committed the protection of our food fish supply. For nearly a quarter of a century the fish commission has regularly reported in condemnation of fish baskets as destructive of the work of the State Fish Commission. The descent of the young shad fry from the Susquehanna and the Delaware to the sea between the 1st of August and the 1st of November is intercepted by these devices, which destroy the young shad in myriads and jeopardize the future shad production in these rivers to an extent many times greater than the monetary value of all the eels that could be taken for mere local wants. It would be an unwise economy to expend the moneys of the state in hatching and propagating young fish wherewith to stock our streams if devastating devices are permitted and encouraged which catch and destroy the young fish in vast quantities.

I am bound to believe the unanimous testimony of men of scientific attainments and large experience in fish culture, that this is the inevitable effect of erecting eel baskets in the rivers of the commonwealth. The precaution that no fish shall be taken but eels, and the requirement that all other fish caught shall be returned to the water, experience has demonstrated, are attended with no practical results. Fish of all kinds are necessarily swept within the baskets by the current, and once there soon die, so that the destruction, caused by these devices throughout the river, would more than balance the slight compensation attendant upon the capture of a few eels. The policy of all the states—save our neighboring Commonwealth of Maryland—has been toward the abolition of these baskets, and, while it is true that those who live along the lower Susquehanna are placed at some disadvantage by this

unfriendly attitude of a sister state, it is to be noted that even its fish commissioner candidly acknowledges the evil influence of the fish baskets on the fishing interest, and has signified his intention of moving towards their abolition.

For one hundred and fifty years, since the early colonial days, when fish were abundant, it has been the policy of our laws to protect the fish supply by the suppression of these devices, and if the results have not been as satisfactory as hoped for, I have reason to believe it has been largely owing to the fact that the law has not been strictly enforced; and that the gradual extinction of our food-fish interests has been due to the presence of the fish baskets that have been tolerated rather than to the absence of those which the fear of the law has prevented from being erected. The reciprocal legislation with New Jersey in regard to the fishery interests on the Delaware has enabled us to protect the deposits of the shad fry in that river at various points, and to enhance an industry that, since the destruction of the fish baskets, has increased in annual product from $80,000 to $500,000. To imperil this great interest, at a time when its outlook is so auspicious, for purely local or personal aggrandizement would be a wrong to the whole commonwealth, which I am not prepared to countenance or sanction.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act Making an Appropriation for the Purchase of Copies of 'An Index to Local Legislation in Pennsylvania from Anno Domini Seventeen Hundred to Anno Domini Eighteen Hundred and Ninety two.' Compiled by Giles D. Price."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 25th, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, Senate bill No. 87, entitled "An act making an appropriation for the purchase of copies of 'An Index to Local Legislation in Pennsylvania from Anno Domini seventeen hundred to Anno Domini eighteen hundred and ninety two,' compiled by Giles D. Price."

This is an act to encourage and patronize the publication of an index to the local legislation of Pennsylvania by purchasing at the expense of the Commonwealth five hundred copies at five dollars each for presentation to the members and officers of the two Houses of the General Assembly, the Executive Departments and the Law Judges of the State.

I have no doubt this work is one of much value to the legal profession and to the public generally; and, like Purdon's digest and many text books, it would be of great value for use by the bar and bench; but there is no warrant whatever for the free distribution of it even among members of the Assembly and Law Judges, at the expense of the Commonwealth. In so far as the possession and use of it by the several Executive Departments may be valuable for their various purposes, they may purchase it, as they do other law books, out of their respective contingent funds; but the proposition to appropriate $2,500 of public moneys to aid its

publication, is entirely without legal warrant, and is not therefore entitled to Executive approval.

ROBT. E. PATTISON.

Note.—This bill was passed over the Governor's veto and became a law.

To the Assembly Vetoing "An Act to Provide for the Attendance of Children in the Schools of this Commonwealth."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 26th, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 131, entitled "An act to provide for the attendance of children in the schools of this Commonwealth."

In vetoing what was known as the "Compulsory Education Bill" of 1891, in my statement of objections, filed June 18, 1891, I took occasion to say:

"This legislation is the first step taken by our Commonwealth in the direction of compulsory education. That feature of a Common School system involves serious political, educational and social problems. They have not yet been definitely or satisfactorily solved by the experience of other states. In grappling with them, therefore, it is needful that sure ground should be occupied, in order that it may be successfully maintained. The State has provided, with increasing liberality, for the ducation of all the children of all its citizens. While it has furnished the opportunity to all, it has imposed the obligation of attendance upon none. Free attendance upon free schools seems to most befit

a free people. I am well aware of the necessity claimed to exist for compelling certain classes of the people to avail themselves of the opportunities offered them; but compulsory education is such an invasion upon existing systems of our Commonwealth, that if it is to be inaugurated it should be done under the most favorable circumstances. It will not avail to pass a law of uncertain character or so widely at variance with the popular sense of what is just that it shall be a dead letter on the statute books."

While it is true some of the more objectional features of the Act of 1891 do not appear in the present legislation, yet the purpose of it, as herein sought to be enforced, presents certain aspects which, in my judgment, will not meet with popular approval.

Under the most favorable conditions, this innovation upon our subjection of homes and families to the espionage which it provides, the investiture of the secretary of the School Board with the authority of a prosecuting officer, the erection of every magistrate's office into a court wherein parents and guardians may be arraigned for an offense against which their poverty is to be a competent plea, the imposition of a fine without any provision for its collection in case payment is refused, and the ambiguous provision that "satisfactory excuse" to comply with the requirements of this act shall acquit offenders under it—all tend to make the law highly objectionable, if not utterly futile.

I am by no means convinced that it is in accordance with the more enlightened sentiment of this Commonwealth that a system of compulsory education should be established, nor has the experience of other commonwealths justified the expectation that compulsory education brings "healing on its wings" for the ills of the body politic. Whenever such a system is to be engrafted upon the scheme of popular education in Pennsylvania, it must be done with great caution and

in a manner to make it effective and to give it a fair trial. The regulation and supervision of it are in no manner whatever related to the duties of the office of Lieutenant Governor and Secretary of Internal Affairs, as established by the Constitution, yet these functionaries are by this law made part of the supervisory Board of Education, charged with the duty of enforcing the new system. Assessors are made census takers of the school children, and teachers are required to report children of whose whereabouts they can have no possible means of information. In many districts the number of those who are not in attendance upon the schools created and supported by the Commonwealth, will be very great. To compel the teachers to inquire into the cause of their absence from the public schools, and to determine whether or not such cause is "satisfactory," to require the Secretary of the School Board to hear and determine their excuses before he shall proceed to make complaint before an Alderman or Justice of the Peace, to have these magistrates in turn, hear and sift the cases, and finally to refer them to the Courts of Quarter Sessions, will establish a system at once so intricate, burdensome, elaborate and expensive that it will either break of its own weight, or will be utterly neglected and ineffective.

"Satisfactory cause" and "satisfactory excuse" are vague terms to be construed according to the caprice of district teachers and school board secretaries. One construction will prevail in one district and another in an adjoining township. The whole system will be demoralized, its expense vastly increased, and in the end every heedless and irresponsible parent or guardian, for whose children the law may be intended to provide, will escape accountability to it upon the plea of poverty "or other satisfactory excuse."

From such a condition of things nothing is to be hoped for the promotion of real educational work or

for relief from illiteracy where it prevails to the public detriment. No substantial advantage to any class would ensue, and much evil, strife, contention and oppression would be made possible under the terms of this proposed law.

ROBT. E. PATTISON.

To the Assembly Vetoing "An Act to Amend 'An Act Providing for the Incorporation and Government of Cities of the Third Class,' Excepting from the Provisions of Said Act, the Officers of the Fire Department who Shall be Elected by the Qualified Members of Such Department."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 29th, 1893.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVal, House bill No. 604, entitled "An act to amend section six of article seven of an act, entitled 'An act providing for the incorporation and government of cites of the third class,' approved May twenty-third, one thousand eight hundred and eighty-nine, excepting from the provisions of said act the officers of the fire department who shall be elected by the qualified members of such department."

The purpose of this act is to except the officers of the fire department in cities of the third class from the general law that subordinate officers of the city shall be nominated by the Mayor, by and with the advice and consent of select council. It puts the selection of those officers into the hands of the qualified members of the Fire Department.

This proposed legislation is entirely out of harmony with the general plan for the government of municipalities in vogue in this State. The law of 1889, providing for the incorporation and government of cities of the third class, was adopted after consultation and interchange of views among the representatives of many municipalities in the Commonwealth. I know of no such concensus of opinion supporting the proposed modification of it in an essential matter. The fire department is one of the most important branches of the executive department of the city government. Great interests are dependent upon its discipline and regime. The Act of 1889 empowers the city government to organize a fire department, to make the necessary appropriations for the maintenance of the same, and to prescribe rules and regulations for the government of the officers and companies belonging thereto, and if a paid department, to provide by ordinance for the election or appointment of the officers of companies belonging thereto. It seems to me to be best in accord with the free exercise of local self-government that this power to regulate the fire department should be left to the councils of each municipality, to be exercised according to their varying wants and conditions. To impose upon them the hard and fast rule that the members of the fire department should elect their own officers, would be to deprive the municipal governments of one of their most important privileges, and would be venturing upon a very doubtful experiment—that of committing to the employees of a department of municipal government the selection of their own officers.

ROBT. E. PATTISON.

To the Senate Transmitting the Report of the Commission to Investigate the Waste of Coal Mining.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, May 26, 1893.

Gentlemen:—

I HEREWITH TRANSMIT A COMMUNICATION and report from the commission appointed to investigate the "waste of coal mining with the view to utilizing of the waste," under the act of May 7, 1889.

ROBT. E. PATTISON.

Commonwealth of Pennsylvania,
Coal Waste Commission,
Philadelphia, May 20, 1893.

Hon. Robert E. Pattison, Executive Chamber, Harrisburg, Pa.:

Dear Sir: The commission appointed under "An act to create a commission to investigate the waste of coal mining, with a view to utilizing the said waste, and making an appropriation for the expenses thereof."

Section 1. Be it enacted, etc., That the Governor be and he is hereby authorized to appoint three competent persons to investigate the waste occasioned by the mining and preparing of coal in this Commonwealth with especial reference to the reduction and utilization of said waste or culm. Said commission shall serve without compensation, but the actual expense of the investigation shall be paid by the commonwealth, and to provide for the same the sum of twenty-five hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated, approved the 7th day of May, 1889, have the honor to submit their report.

The commission sends herewith, for the use of the Executive and Legislature, one thousand copies of the report which they have had printed, as they found that several of the persons furnishing information would do so only upon condition that they could see the proof before the report was made public, and much of the matter had to be revised by a number of people.

The amount expended by the commission, including the lithographing of the maps and the printing of the one thousand

copies of the report, is about $1,900, or less than the amount of the appropriation. Should the Legislature desire a larger edition it can easily be made, as the type will be kept standing and the stones will be preserved until after the Legislature adjourns.

Yours respectfully,

(Signed) ECKLEY B. COXE,
HEBER S. THOMPSON,
WILLIAM GRIFFITH,
Commissioners.

To the Assembly Vetoing a Joint Resolution Providing for a Mixed Committee of Legislators and Citizens to Investigate the Penal and Eleemosynary Institutions of the State.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 29, 1893.

Gentlemen:—

I HEREWITH RETURN TO YOU, WITHOUT MY approval, the joint resolution of May 23, 1893, providing for a mixed committee of legislators and citizens to investigate the penal and eleemosynary institutions of the state with leave to sit during recess, with power to subpoena witnesses, to send for persons, to employ accountants and clerks, and to report to the next legislature by bill or otherwise. This resolution being submitted for my approval, I would not be justified in affixing my signature to it without some assurance that it is based on a truthful statement of facts.

Its preamble declares that a proposition to transfer the business management of our state insane hospitals from their physicians in charge to their trustees has

twice been defeated by the "powerful opposition of those physicians and their friends, and their pernicious activity." This statement is untrue in so far as it relates to the Executive disapproval of the proposed investigation of the Warren Hospital. I know it is untrue for reasons stated in my communication to the legislature upon the subject of that resolution. In so far, as the language of the resolution which I have quoted, refers to the action on either branch of the General Assembly in defeating any measure which has been before it, I am bound to assume that it is untrue; and respect for a co-ordinate branch of the state government, if not for myself, would compel my disapproval of any preamble and resolution couched in such terms as the one herewith returned.

The assumption in the resolution that the management of certain hospitals of this state is vested in their physicians and not in their boards of trustees, is contrary to the law and the facts. Scarcely less mistaken is the declaration that the responsibility for the management of these institutions rests upon the legislature. On the contrary it is reposed in various boards of trustees, comprising many of the most intelligent, reputable, unselfish and responsible citizens of the state. They are subject to the constant visitation of the Board of Charities, expressly created for such purposes. Your appropriation committees have very recently visited them for the purpose of ascertaining whether they continue to be worthy objects of the state's bounty, and as far as I am informed, they have seen no reason to withhold it, but have, on the contrary, recommended its continuance. I have no reason to believe and I do not believe, that any well grounded public apprehension exists that these institutions are being mismanaged, and I know that all responsible charges against them filed with the Executive, have had prompt attention and thorough investigation.

In view of these conditions, to subject all our hospitals, penitentiaries and reformatories to the visitation and inquiry proposed in this bill would be, in my judgment, a waste of the public moneys and a wholly useless proceeding, for the gratification of a morbid sensationalism or personal vindictiveness. It would be also damaging to the discipline which should prevail at these institutions, to make this invasion of their orderly management without excuse and without resulting benefits.

ROBT. E. PATTISON.

To the Senate Nominating Hay Walker, Jr., Manager of the Western Pennsylvania Hospital.

Commonwealth of Pennsylvania,
Executive Department,
Office of the Governor,
Harrisburg, May 31, 1893.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Hay Walker, Jr., of Allegheny City, to be manager of the Western Pennsylvania Hospital, at Pittsburg, for the term of one year from May 21, 1893.

ROBT. E. PATTISON.

Veto of "An Act to Provide for an Additional Law Judge of the Several Courts of the Twenty-seventh Judicial District."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 2nd, 1893.

Gentlemen:—

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 43, entitled "An act to provide for an additional law judge of the several courts of the twenty-seventh judicial district."

This bill provides an additional law judge for the judicial district now composed of the County of Washington. In previous communications to the General Assembly I have expressed grave misgivings as to measures intended to increase the number of judges in the Commonwealth. Although the County of Washington has made considerable increase in population within the last decade, I am not satisfied there is such an accumulation of legal business as to require an additional Judge of the Courts. The counties of Blair, Delaware, Bucks, Cambria, Erie, Lehigh, Lycoming and Northumberland, and the districts composed of Bedford and Somerset, of Clarion and Jefferson, of Centre and Huntingdon have, each, about the same population as Washington, and most of them are in excess of that county. In every one of these a single judge is found sufficient to despatch all the business of the several courts. Westmoreland county with 112,819 population has but one judge. In the absence of convincing demonstration that the conditions in the Twenty-seventh Judicial District are peculiarly different from those of other single districts of about equal population, I am constrained to withhold my approval from this measure.

ROBT. E. PATTISON.

Veto of "An Act Regulating Constables' Returns to the Quarter Sessions Court of the County of Chester."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 2nd, 1893.

Gentlemen:—

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objecjections thereto, House bill No. 457, entitled "An Act regulating constables' returns to the quarter sessions court of the county of Chester."

This bill proposes to except the County of Chester from the operation of a general law. It offends against that provision of the Constitution which prohibits the General Assembly from passing any local or special bill regulating the affairs of counties. It is also in conflict with the prohibition against local legislation regulating the practice in judicial proceedings or inquiry before courts. Either of these would be sufficient reason for Executive disapproval.

ROBT. E. PATTISON.

Veto of "An Act Granting an Annuity to Thomas A. Wagner, of Snyder County, Pennsylvania, a Private in Company H, Thirty-sixth Regiment, Pennsylvania State Militia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 3rd, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 338, entitled "An act granting an annuity to Thomas A. Wagner, of Snyder

county, Pennsylvania, a private in company H, Thirty-sixth regiment, Pennsylvania Militia."

This is one of three bills granting pensions to persons, none of whom served more than sixty days, and one of whom served only twenty-four days in the army thirty years ago, and who now come forward, claiming the State's bounty upon the ground of diarrhoea, rheumatism and "a slight injury to his right hand" incurred in 1863. These claims are extremely stale. If the claimants had just grounds for the bounty of the State or Nation, their laches in presenting them would be almost conclusive against them. Apart from this consideration, it has been repeatedly suggested to the General Assembly by one Executive after another that until some general State system of pensions is adopted, by which claims of this character can be thoroughly investigated, sifted and determined, grants of the Commonwealth's bounty by vote of the General Assembly are apt to be attended with great uncertainty and dangers of imposition. The chances of an occasional deserving subject failing of proper consideration are very much less than the probalities of fastening upon the Treasury ill-considered and undeserving claims. Until some general law providing for systematic adjudication of all these cases has been adopted, I shall feel it to be my duty to veto all bills providing for annuities and pensions, unless it appears that they are based on immediate military services rendered to the Commonwealth, or unmistakable evidence is laid before me of the justice of the claims, with some accompanying explanation of why the assertion of them has been delayed for a long period of time, in the event that they are of such extreme staleness as the three cases herein referred to.

ROBT. E. PATTISON.

Veto of "An Act Granting a Pension to Hamilton Smith, of Jefferson County.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 3rd, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 339, entitled "An Act granting a pension to Hamilton Smith of Jefferson county."

This bill is disapproved for the reasons set forth in the veto of House bill No. 338.

ROBT. E. PATTISON.

Veto of "An Act Repealing so Much of 'An act to Amend the Provisions of 'An Act for the Destruction of Wolves and Wild-cats as Provides a Premium for the Destruction of Foxes, so Far as the Same Applies to Fayette County."

Commonwealth of Pennsylvania,
Executive Department,
June 3rd, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 466, entitled "An act repealing so much of Section one of an act approved April twenty-fifth, one thousand eight hundred and eighty-nine, entitled 'An act to amend the provisions of the first section of an act approved May thirteenth, one thousand eight hundred and eighty-seven, entitled 'An Act for the destruction of wolves and wildcats as provides a premium for the destruction of foxes so far as the same applies to Fayette county."

This bill proposes to exempt the County of Fayette from the operation of a general law. Such legislation is in direct violation of the Constitutional provision, that the General Assembly shall not pass any local or special law regulating the affairs of counties.

ROBT. E. PATTISON.

Veto of "An Act Graiting an Annuity to Stephen Smith, of Lehigh County, Pennsylvania, a Private, Afterwards Second Lieutenant, in Company I, Forty-first Regiment, Pennsylvania Volunteers."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 3rd 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objection thereto, House bill No. 595, entitled "An act granting an annuity to Stephen Smith, of Lehigh county, Pennsylvania, a private, afterwards second lieutenant in Company I, Forty-first regiment, Pennsylvania Vounteers."

This bill is disapproved for the reasons set forth in the veto of House bill No. 338.

ROBT. E. PATTISON.

Veto of "An Act to Prevent the Prosecution in this State of Actions Which at the Time of Commencing the Same are Barred by the Laws of the State or Country in Which the Cause Thereof Arose."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 3rd 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 241, entitled "An act to prevent the prosecution in this State of actions which at the time of commencing the same are barred by the laws of the State or country in which the cause thereof arose."

The effect of this law would be to subject actions brought in any of the courts of this Commonwealth to the limitations in the law of any State or foreign country in which a cause of action might happen to have arisen. Under its operation, citizens of our Commonwealth making contracts outside of the State, suing or being sued in our own Courts, would be subject to laws and limitations entirely foreign to Pennsylvania. It appears to me that such a condition of things would be fraught with evil, would tend to produce frauds and perjuries and would be altogether confusing and disturbing to our course of legal procedure. I know of no general demand or occasion for such an enactment, and if it is intended to meet a special or particular case that circumstance adds another to the many objections which seem to me to prevail against such legislation.

Nearly a half century ago it was decided to be the law of Pennsylvania that the lex loci contractus governs in the construction but not in the enforcement of a contract, and that the remedy for a breach of the contract was controlled entirely by the lex fori. This

has been reasserted in a long line of decisions extending over the intervening period of time and running through nearly one hundred and fifty volumes of the State reports. The effect of this law, it seems to me, would be to disturb this well-settled principle without any resulting advantage.

ROBT. E. PATTISON.

Veto of "An Act to Repeal the Eighth Section of 'An Act to Incorporate the Schuylkill County Agricultural Society, Relative to a School District in Schuylkill County, to an Election District in Said County, to the Daily Pay of the Commissioners of of Berks County, to Reporter of the Decisions of the Supreme Court, to the Collection of School Taxes in Certain Townships in Crawford and Allegheny Counties, to the Estate of Joseph Parker Norris, Deceased, to the Keystone Life and Health Insurance Company, to Tavern Licenses in Philadelphia City and County, to the Estate of Polly Dunlap, of Clearfield County, to the Sale of a Lot of Ground by the Overseers of the Public School of the City and County of Philadelphia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 3rd, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 156, entitled "An Act to repeal the eighth section of an act, entitled 'An Act to incorporate the Schuylkill County Agricultural Society, relative to a school district in Schuylkill county, to an election district in said county, to the daily pay

of the Commissioners of Berks county, to reporter of the decisions of the Supreme Court, to the collection of school taxes in certain townships in Crawford and Allegheny counties, to the estate of Joseph Parker Norris, deceased, to the Keystone Life and Health Insurance Company, to tavern licenses in Philadelphia city and county, to the estate of Polly Dunlap, of Clearfield county, to the sale of a lot of ground by the overseers of the public schools of the city and county of Philadelphia,' approved the fourteenth day of April, one thousand eight hundred and fifty-one."

This bill is an exact duplicate of House bill No. 263, bearing the same title, which was received by the Executive on the 19th day of May, and approved by him on the 25th day of May, 1893. There is no occasion for such duplication of the laws. This bill is a striking illustration of the want of care that is exercised in the passing of legislation.

ROBT. E. PATTISON.

Veto of "An Act Repealing so Much of 'An Act to Amend the Provisions of 'An Act for the Destruction of Wolves and Wild Cats as Provides a Premium for the Destruction of Foxes and Minks,' as Far as the Same Applies to Greene County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 6th, 1893.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 518, entitled "An Act repealing so much of section one of an act approved April twenty-fifth, one thousand eight hundred and eighty-nine, en-

titled 'An act to amend the provisions of the first section of an act approved May thirteenth, one thousand eight hundred and eighty-seven, entitled "An act for the destruction of wolves and wildcats as provides a premium for the destruction of foxes and minks," so far as the same applies to Greene county."

This bill proposes to exempt the county of Greene from the operation of a general law. Such legislation is in direct violation of the constitutional provision, that the General Assembly shall not pass any local or special law regulating the affairs of counties.

ROBT. E. PATTISON.

Veto of "An Act to Repeal the First Section of 'An Act to Prohibit the Issuing of Licenses to Sell Spirituous, Vinous, Malt or Brewed Liquors in the Borough of Braddock, Borough of Sewickly, Townships of Wilkins, Versailles, Penn, North Fayette, South Fayette, Sewickley, Leet and Kilbuck, in the County of Allegheny,' so Far as the Same Relates to the Borough of Verona, in the Said County of Allegheny."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 6th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 54, entitled "An Act to repeal the first section of an act, entitled 'An act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors, in the borough of Braddock, borough of Sewickley, townships of Wilkins, Versailles, Penn, North Fayette, South Fayette, Se-

wickley, Leet and Kilbuck in the county of Allegheny,' approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, so far as the same relates to the borough of Verona in the said county of Allegheny."

This bill repeals the act approved the ninth day of April, one thousand eight hundred and seventy, prohibiting "the issuing of licenses to sell spirituous, vinous, malt or brewed liquors so far as the same relates to the borough of Verona." It was not introduced by the Representative from the district, who lives at Verona. Petitions, letters, &c., have been received for and against the repeal, but the undoubted weight of evidence in the case is favorable to the existing law, the operation of which has given general satisfaction and security. I therefore decline to approve the bill.

ROBT. E. PATTISON.

Veto of "An Act to Provide for the Publication of Abstracts of Charters and Other Documents, Relative to Corporations, Filed in the Office of the Secretary of the Commonwealth."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 8th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 183, entitled "An Act to provide for the publication of abstracts of charters and other documents relative to corporations filed in the office of the Secretary of the Commonwealth."

The law, as it stands without the enactment of this

bill, provides for the publication, in the same volume as the Pamphlet Laws, of an index to all charters granted, which seems to be sufficient for all public purposes. Persons specially interested can always obtain abstracts of the documents filed in the office of the Secretary of the Commonwealth upon proper application. The publication in the form here proposed, of the list of all charters of incorporation, their style, title, purposes, location, and an abstract of all the documents filed relating to them, would entail enormous work on the department and large expense upon the Commonwealth, for which no adequate provision has been made. The provision in sections two and three for the compilation and distribution of a volume containing all the charters granted for the last twenty years, would further increase this labor and expense, and if it could be assumed that the work thus ordered by the General Assembly was one of public necessity, the absence of any appropriation whatever to meet its expense would be sufficient reason for withholding Executive approval from this bill.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation to the Waterford Academy at Waterford, in the County of Erie."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 8th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 980, entitled "An Act making an appropriation to the Waterford Academy, at Waterford, in the county of Erie."

This bill offends against the prohibition of Section 18, Article III of the Constitution, and must therefore be the subject of Executive disapproval.

ROBT. E. PATTISON.

Veto of "An Act Authorizing the Superintendent of Public Instruction to Place in Each Public School of this Commonwealth One Copy of Smull's Legislative Hand Book, and Providing for the Same, and Providing Compensation for a more Thorough Revision of the Work."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 8th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 100, entitled "An Act authorizing the Superintendent of Public Instruction to place in each public school of this Commonwealth containing a school library one copy of Smull's Legislative Hand Book, and providing for the same, and providing compensation for a more thorough revision of the work."

This bill proposes to distribute thousands of copies of Smull's Legislative Hand Book over the State by authorizing the Superintendent of Public Instruction to place one copy in each common school of the Commonwealth, and makes an annual appropriation of $500.00 to the compiler of the work in addition to the compensation now allowed by law.

For reasons which I have frequently explained, I regard all these efforts to make the Commonwealth a distributor of such works ill considered. The public

schools of each district and their equipment are within the control of the various boards of control and directors. They are the best judges of how their libraries should be supplied. There are hundreds of volumes of equal importance and value with Smull's Legislative Hand Book, the dissemination of which might serve a useful purpose but, for, obvious reasons, it is not the proper function of the Commonwealth to make distribution of these, and there is no reason why an exception should be made of this particular publication.

ROBT. E. PATTISON.

Veto of "A Supplement to 'An Act Granting a Pension to Louis Neudoerffer,' Extending Said Pension to His Widow, Ida Neudoerffer."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 8th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 136, entitled "A Supplement to an act entitled 'An act granting a pension to Louis Neudoerffer,' approved April second, one thousand eight hundred and sixty-seven, extending said pension to his widow, Ida Neudoerffer."

This bill proposes to extend to a widow the pension formerly enjoyed by her husband, now deceased. It has been frequently pointed out by the Executive vetoes that no appropriations can be constitutionally made for pensions for military services rendered by any other than the immediate beneficiary of the bill. For this reason I am constrained to withhold my assent from this legislation.

ROBT. E. PATTISON.

Veto of "An Act Relating to Debts Not of Record of Decedents.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 8th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 40, entitled "An Act relating to debts not of record of decedents."

The purposes of this bill, and some things it does not contain, are embraced in and covered by House bill No. 122, which has already met my approval. The present legislation is, therefore, wholly unnecessary and superflous.

ROBT. E. PATTISON.

Veto of "An Act to Amend 'A Supplement to An Act to Provide for the Appointment of a Fire Marshal for the County of Allegheny,' Enlarging the Duties and Powers of the Fire Marshal."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 10th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 196, entitled "An Act to amend sections two and three of an act, entitled 'A supplement to an act to provide for the appointment of a fire marshal for the county of Allegheny,' approved the fourteenth day of April, one thousand eight hundred and seventy, enlarging the duties and powers of the Fire Marshal."

This act is local and special. It also offends against Article III, Section 3 of the Constitution, which provides that "No bill, except general appropriation bills, shall be passed containing more than one subject, which shall be clearly expressed in the title." The amendment proposed, as read by its title, expresses only the purpose of "enlarging the duties and powers of the Fire Marshal," but the Act, in section 2, enacts how "alterations, removals or amendments" suggested by the Marshal shall be paid for, and adjusts the cost thereof as between the occupant and owner. This purpose is not expressed in the title, and the act therefore is in direct conflict with the decisions of the courts which have established the principle that "the title of an act of Assembly must not only embrace the subject of the legislation, but must also express the same so clearly as to give notice of the legislative purpose to those who may be specially interested therein." This act falls far short of this requirement.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation to the Pennsylvania State Agricultural Society.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 10th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 982, entitled "An Act making an appropriation to the Pennsylvania State Agricultural Society."

This bill proposes to make an appropriation of $30,000 to the Pennsylvania State Agricultural Society, a

private association not under the control of the Commonwealth and organized for profit. In vetoing an appropriation of this same character, my immediate predecessor said:

"The appropriations sought to be made by these bills are, however, pure gratuities. So far as the institutions to which the money would go are concerned, the legislation involved is an exercise of the charity or benevolence of the State towards persons or communities. This is distinctly and clearly forbidden by Section 18, Article III of the Constitution. If appropriations of these worthy objects were allowable under the Constitution, there is nothing to prevent appropriations to every county agricultural, horticultural and manufacturing association in the Commonwealth. The mere statement of such a possibility shows the wisdom of the framers of our Constitution."

This statement of the case is in accordance with views frequently expressed in regard to similar appropriations by the present Executive during this and his former term. They need not be enlarged nor repeated. I regard all such appropriations as at variance with the letter and spirit of the Constitution, and feel constrained to veto them regardless of the general worthiness of their objects and my sympathies with the purposes they are intended to serve.

ROBT. E. PATTISON.

Veto of "An Act to Prohibit the Peddling, Selling or Hawking of Merchandise, Wares, or Other Goods Within this Commonwealth, Without a License."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 10th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 476, entitled "An Act to prohibit the peddling, selling or hawking of merchandise, wares or other goods within this Commonwealth without a license."

This bill requires the taking out of a license by all persons except marketmen, dairyment and certain hucksters "engaged or concerned in the business or employment of hawking, peddling or selling merchandise, wares or other goods or either or any of them, within this Commonwealth." I regard this as a most vexatious and oppressive interference with the free operations of legitimate business. Moreover, as our Commonwealth and its municipalities have no such power to interfere with or restrict interstate trade and traffic, it would be a most unwise and unjust discrimination against the citizens, manufacturers and merchants of our own State. To require every person engaged in selling merchandise to take out a license in every county in which he might see fit to engage in his business himself or through his agents, and to impose upon him the exhorbitant fees proposed by this bill under its pains and penalties, would, I am satisfied, if understood and enforced, produce the most violent opposition and immediate demand for its repeal. I am constrained to believe that the full purpose and effect of this measure could not have been apprehended by the General Assembly when its passage was effected, and

I therefore assume the responsibility of withholding from it Executive approval.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation to Aid the Several Town-ships in this Commonwealth in the Construction, Improvement and Maintenance of Public Roads, and Providing the Manner of the Distribution of the Same."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 10th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 525, entitled "An Act making an appropriation to aid the several counties in this Commonwealth in the construction, improvement and maintenance of public roads and providing the manner of the dirtribution of the same."

The present condition of the revenues of the Commonwealth and the appropriations made for the next two years, and the increase in the appropriation for public schools, render it doubtful whether the condition of the State's finances would warrant this unusual expenditure for public roads; but, even if it should be certain that the money could be spared from the public treasury, it is well known that this appropriation was based upon and intended to meet the requirements of other proposed legislation which failed of enactment, and therefore this bill is not required. Moreover, the distribution of such aid to the several counties of the Commonwealth to be redistributed among the townships without any such distribution to the

cities and boroughs, is of very doubtful constitutionality or propriety, and the bill is open to the objection of an appropriation to certain communities in violation of Section 18 of Arcitle III of the Constitution.

ROBT. E. PATTISON.

Veto of "An Act to Authorize Cities to Make Appropriations for the Establishment and Maintenance of Free Libraries, and to Acquire by Condemnation Eligible Sites for the Location Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 10th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 405, entitled "An Act to authorize cities to make appropriations for the establishment and maintenance of free libraries and to acquire by condemnation eligible sites for the location thereof."

This bill proposes to extend the right of eminent domain to free library associations, toward which municipalities may have contributed or in the management or administration of which they may be represented. The grant of the Commonwealth's high prerogative of eminent domain should be made sparingly and with due caution and only where absolute necessity exists. It can hardly be seriously contended that private library associations, even if intended as public benefactions, are in absolute need of the right of condemning land for eligible sites, and in the absence of any demonstration of such necessity, I am not willing

to give my approval to such extension of the exercise of a highly important power. The bill is also objectionable in its delegation to councils of the power denied to the Commonwealth's General Assembly of voting public moneys for benevolent purposes to a private corporation.

ROBT. E. PATTISON.

Veto of "An Act to Prohibit the Peddling, Selling or Hawking of Produce and Merchandise, in the Cities of the Second and Third Classes, Within this Commonwealth, Without a License."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 10th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 277, entitled "An Act to prohibit the peddling, selling or hawking of produce and merchandise in the cities of the second classes within this Commonwealth without a license."

This bill proposes to prohibit the hawking or peddling of teas or spices within certain cities of the Commonwealth. No justification whatever exists for legislation of this special and particular character. If there is any reason why the hawking or peddling of teas and spices without license is contrary to public policy, the same reasons must prevail for restrictions upon the like sales of hundreds of other articles in cities of all classes, and there is no warrant for such classification and special discrimination.

ROBT. E. PATTISON.

Veto of "An Act to Make Taxes Assessed Upon Real Estate by Counties, Townships and Boroughs a Lien, and to Provide for the Collection of Such Taxes and a Remedy for False Return."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 12th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 104, entitled "An Act to make taxes assessed upon real estate by counties, townships and boroughs a lien and to provide for the collection of such taxes and a remedy for false returns."

In so far as this bill makes county, township and borough taxes a lien, it is meritorious, but the purposes of the bill would, in the main, be defeated by the provision in its second section, by the operation of which sales of real estate for the collection of taxes shall not affect the liens of mortgages and judgments. This bill as originally introduced, restricted this provision simply to first mortgages, and was therefore, in accordance with the prevailing laws on this subject, but the extension of this exemption to all mortgages and judgments has so emasculated the bill as to make it inefficacious. Moreover, the saving clause, by which all local or special laws are continued in force, would tend further to weaken and impair the intended effect of this bill.

I am constrained, therefore, to disapprove it, in the hope that the next General Assembly will take up the subject and dispose of it in a better-considered and more effective statute.

ROBT. E. PATTISON.

Veto of "An Act to protect the Revenue of the State by Preventing Fire Insurance Companies, Firms and Associations, Incorporated by Another State or a Foreign Government, or Organized Under the Laws Thereof, from Taking Risks, Issuing Policies or Placing Insurance Within this State, or Upon Property Situate Therein, Except by Agents or Officers Residing Within this State, Requiring for that Purpose Affidavit, Under Pain of Perjury, Before License shall be Issued to Any Such Company, Firm and Association, and Further Regulating the Issuing of Licenses Thereto."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 12th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 150, entitled "An Act to protect the revenue of the State by preventing fire insurance companies, firms and associations incorporated by another State or a foreign government, or organized under the laws thereof, from taking risks, issuing policies or placing insurance within this State or upon property situate therein, except by agents or officers residing within this State, requiring for that purpose affidavit under pain of perjury before license shall be issued to any such company, firm and association and further regulating the issuing of licenses thereto."

The general intention of this bill may be conceded to be commendable, but it has engrafted upon it certain odious and oppressive features which constrain me to express my disapproval of it. It prohibits any fire insurance company from doing business in this State except through agents or officers "having an actual domicile and residence within the same." I know of

no reasons why persons living in adjoining States, for example, in the cities of New Jersey and Delaware, adjacent to our great metropolis and business centre, or across the line in the States of Ohio, Maryland and New York, should not be permitted to engage in the insurance business within our borders, if they should so desire. To expel them or prevent them from having their offices in this State and their residence in another, would be a direct violation of inter-state comity and would be an unjust and oppressive discrimination against a particular class of business and a very large and respectable number of persons who may be engaged in it. There is no more reason why an insurance agent who happens to have his residence in Camden or Wilmington, should not be permitted to have his office in Philadelphia, than why a member of the Philadelphia Bar should not be permitted to practice there unless he make an actual domicile and residence within the State. Moreover, in many instances companies doing business in this State have at present agents residing in New York, New Jersey, Maryland and Ohio, near to the Pennsylvania line, who are transacting business in this State, having been licensed by the Insurance Commissioner in pursuance of law, and having paid their license fee and secured their licenses. To require their companies to file an affidavit setting forth that "during the time dating from the date of the approval of this Act until April 1st, 1894," the company has not directly or indirectly, within or without this State, solicited or taken risks, issued policies or placed insurance on property located within the State, except by, from or through agents or officers having an actual domicile or residence within this State, would be an act of bad faith on the part of this Commonwealth, if indeed it could be tolerated by the courts, if assailed as depriving those affected by it of their rights and property without due process of law. Such policy, adopt-

ed by Pennsylvania, would inevitably lead to retaliation by other Commonwealths, and in the end the very persons who now seek "protection" by this bill would suffer from its ultimate effects.

ROBT. E. PATTISON.

Veto of "An Act Authorizing Cities and Boroughs of the Commonwealth of Pennsylvania to Purchase Bridges Already Erected, or to Erect and Maintain Bridges Over Streams and Rivers Which May Separate Portions of Such Cities and Boroughs, and Providing for the Condemnation of Such Land as May be Necessary for Piers, Abutments, Fills, Slopes and Approaches Thereto."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 12th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 17, entitled "An Act authorizing cities and boroughs of the Commonwealth of Pennsylvania to purchase bridges already erected or to erect and maintain bridges over streams and rivers which may separate portions of such cities and boroughs, and providing for the condemnation of such land as may be necessary for piers, abutments, fills, slopes and approaches thereto."

I file this bill without my approval, for the reason, mainly, that on May 26, 1893, I approved Senate bill No. 133, entitled "An Act authorizing cities to purchase, maintain, use and condemn bridges erected and in use over rivers and streams separating or dividing any part or district of such cities, and providing the

manner in which compensation shall be made." That bill aimed to provide for conditions under which sections or districts of the same city were divided and separated from each other by rivers and streams of water, and was intended to permit municipalities to secure control of such bridges for the public convenience and advantage. It was introduced by the same member of the Senate as the present bill, and if it lacked any essential or vital features which are possessed by No. 17, they should have been engrafted upon it by amendment. If its provisions should have been extended to boroughs, as it is provided by the act now under review, that could have been secured by amendment of the bill which has already been approved. The adoption of two distinct laws at the same session of the General Assembly, to secure substantially the same purposes, by somewhat different methods, only tend to work confusion of procedure and to render uncertain the legislative intent. I suspect, moreover, that in the second section of the present bill there lurks a purpose to accomplish what failed by the disapproval of the Act of 1891, authorizing cities of the Commonwealth to change, alter, beautify and improve unpaved public wharves and landings. That act met with disapproval because it was calculated to hamper the free use of rivers for the shipment of merchandise and manufactures from a great city whose prosperity had been largely enhanced by the advantages of water transportation, and this was sought to be done against the protest of a most influential portion of the community. I find in the present bill a grant to cities and boroughs "to use such portions of the public wharves lying therein as may be necessary for piers, abutments, slopes, fills and approaches of any bridge or bridges which such cities shall authorize to be built over any streams or rivers separating any part of said cities or boroughs." The particular purpose of this section is not

cognate to the general purpose of this bill, nor is it comprehended in the title, which indicates only a grant of authority to purchase bridges already erected or to erect and maintain bridges. Either of these reasons would be sufficient to warrant disapproval of this bill.

ROBT. E. PATTISON.

Veto of "An Act to Authorize the Orphans' Court of Any County of this Commonwealth, Upon Petition, to Appoint a Commissioner to Inquire Into the Advisability of Funding a Charge Upon any Lands in this Commonwealth by Last Will and Testament, and Upon His Report to Decree the Appointment of a Trustee to Hold and Invest the Fund, and Further Authorizing the Court to Make a Decree Discharging the land from the Lien of the Charge."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 12th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 98, entitled "An Act to authorize the orphans' court of any county of this Commonwealth upon petition to appoint a commissioner to inquire into the advisability of funding a charge upon any lands in this Commonwealth by last will and testament and upon his report to decree the appointment of a trustee to hold and invest the fund and further authorizing the court to make a decree discharging the land from the lien of the charge."

The effect of this bill would be to diminish, at the pleasure or within the discretion of the Orphans' Court or the judges thereof, the fixed annuities or annual

payments from charges on land made by the last will and testament of a decedent for the maintenance or endowment of educational, religious or charitable institutions. The benevolent purposes of the testator are to be ruthlessly set aside for the benefit of the owner of the land who took or bought it with the charge or incumbrance upon it. Not only may the lien itself, thus created, be discharged and the security changed, but the income to the beneficiary of the trust may be materially lessened or diminished in entire contravention and frustration of the purpose of the testator. Such an act, if of general application, could be made the instrument of great injustice and wrong, and if it is intended to meet a particular case, it is of that special character which is offensive to our present constitutional system. Trusts of this character should be hedged about by legislative protection instead of being subjected to the invasion of cupidity and of disregard for the charity which the testator has sought to endow or aid.

ROBT. E. PATTISON.

Veto of "An Act to Regulate the Manner of Electing Trustees of Academies, Chartered by Act of Assembly of the Commonwealth of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 12th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 196, entitled "An Act to regulate the manner of electing trustees of academies chartered by the act of Assembly of the Commonwealth of Pennsylvania."

This bill is so circumscribed in its operations and so obviously relates to a single peculiar case that it is preeminently special in the guise of general legislation. If there be, as this bill indicates, any academy under the terms of whose charter the trustees are now to be chosen by the vote of the qualified electors, I know of no reason why such a radical departure from the terms of incorporation should be made as to permit this board of trustees to perpetuate itself by selecting and appointing qualified electors as corporators of such academy. The power to select the board of trustees now being ledged in the qualified electors of a county or part of a county, it is proposed that the present board shall themselves select from the entire body of qualified electors 30 persons of their own choice who shall have the power to select 6 trustees with indefinite and unlimited power of self perpetuation. This is a bold proposition to deprive the qualified electors of a county or part of a county of their just rights, and is, moreover, in direct violation of that provision of the Constitution which forbids the General Assembly from passing any local or special law amending the charter of a corporation. The classification adopted by this bill to make it appear of a general character is such as has been expressly condemned by the Supreme Court, and cannot alter its actual character as a special and local law.

ROBT. E. PATTISON.

Veto of "An Act Providing for the Creation and Regulation of Municipal Liens and the Proceedings for the Collection Thereof in the Several Boroughs of this State."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 13th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 369, entitled "An Act providing for the creation and regulation of municipal liens and the procedings for the collection thereof in the several boroughs of this State."

This act validates the cost of improvements made by boroughs in paving, curbing or macadamizing with brick, stone or other suitable material, any public street or thoroughfare which is not valid under existing laws owing to some defect in the petition or other proceeding necessary under said act or its supplements. The vice in this bill is that it seems to give jurisdiction and to impose liability where no jurisdiction existed and no liability was created at the time the improvements were made. It seems to be retroactive in its effect, so far as this provision is concerned. The assessment for these improvements is made a lien upon the property until fully paid and satisfied and the lien, when filed, shall be prima facie evidence of all matters therein set forth. This goes considerably farther than the lien laws in this State.

The particular vice of this bill, however, is in its retroactive character and it seems on its face to be made to meet some particular situation now existing, which local or special feature adds nothing to its merits.

ROBT. E. PATTISON.

Veto of "An Act Providing for the Fencing of Improved Lands Used for Agricultural and Horticultural Purposes in the Counties of Clearfield, Centre and Cameron."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 13th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 549, entitled "An Act providing for the fencing of improved lands used for agricultural and horticultural purposes in the counties of Clearfield, Centre and Cameron."

The purpose of this bill is to enact a special fence law for the counties of Clearfield, Centre and Cameron and to create a jurisdiction for the appraisement of damages in certain cases of trespass in those counties, different from the laws of the State, applicable to other geographical and political divisions thereof. It has been almost uniformly held by the Executive of the Commonwealth, since the adoption of the new Constitution, that laws of this kind were within the prohibition of the seventh section of its Third article which declares that "the General Assembly shall not pass any local or special law regulating the affairs of counties or prescribing the duties and powers of officers in counties." It has been contended before the Supreme Court of the State that this related only to political or general, and not to domestic affairs of this kind, but an exact and emphatic definition has been given to the term by the decision of the highest court, which its citizens, legislators and Executive are alike bound to respect. The word "affairs" was expressly chosen by the framers of the Constitution to give to the prohibition upon local legislation a broad application, and in Morrison v. Bachert, 112 Pa., 322, it was said: "When

it (the Constitution) speaks of the affairs of a county, it means such affairs as effect the people of that county." In Frost v. Cherry, 122 Pa., 427, the Court expressly declared that the Constitution prohibited the General Assembly from making one law in one county regulating fences and a different law in adjoining counties. It has also been declared by this high jurisdiction and court of last resort, that a law which excludes one county of the Commonwealth from its operation is local and special, as well as a law which includes but one, two or three. In view of these decisions, there can be no doubt about the character of this legislation. It would be useless to encumber the statute books with it, when, upon the first test, it would be swept therefrom by the hand of the judiciary, to whom its construction would be submitted.

ROBT. E. PATTISON.

Veto of "An Act to Amend 'An Act to Provide for the Incorporation and Regulation of Certain Corporations,' Providing for Increased Rates of Toll Upon Bridges in Certain Cases,' by More Particularly Designating the Rates of Toll by Providing for Increase of Tolls When Authorized by the Court of Quarter Sessions in Certain Cases."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 13th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 20, entitled "An Act to amend an act, entitled 'An Act to amend clause two of section thirty-one of an act, entitled "An act to por-

vide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four, providing for increased rates of toll upon bridges in certain cases,' approved the sixth day of May, one thousand eight hundred and eighty-seven, by more particularly designating the rates of toll by providing for increase of tolls when authorized by the court of quarter sessions in certain cases."

This act is open to two serious objections. It imposes new burdens on the public in the shape of increased tolls for the benefit of the owners of private, corporate interests, organized exclusively for their own advantage. It is intended to apply this increased and burthensome rate of tolls to bridges heretofore constructed under laws which clearly defined and fixed the lawful rates of toll. Incorporators who organized these companies, stockholders who made the original investments, and the persons who have since purchased such stock were bound to know, at the time of the erection of these structures, and subsequently what were the lawful rates of toll as prescribed by existing laws, and they took the chances of the venture and of these rates affording them profitable return. Their undertaking was in the nature of a contract with the traveling public to furnish them with bridge facilities at the rates of toll then prescribed by law. I can easily believe that had these rates been found to afford an undue profit to the incorporators, they would have made no demand from the General Assembly for a reduction of the legal maximum, and it is grossly unjust to the public to now thus boldly advance the rates, after they have secured their corporate franchises upon a different understanding. In the second place, the peculiar phraseology of this bill, limiting certain provisions of it to "any bridge within this Commonwealth which now exceeds, or shall hereafter exceed three

thousand feet in length," suggests most forcibly that this is special legislation, under the attempted disguise of a general law, concerning which the Supreme Court has declared and re-affirmed that "of all forms of special legislation, this is the most vicious." I can therefore see no justification for the approval of such an enactment and file my veto of the same herewith.

ROBT. E. PATTISON.

Veto of "An Act to Amend 'An Act relative to the Compensation of the Directors of the Poor and House of Employment, of Lehigh County,' Defining and Fixing the Per Diem Salary of Said Directors of the Poor."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 13th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 113, entitled "An act to amend the first section of an act, entitled 'An act relative to the compensation of the directors of the poor and house of employment of Lehigh county, approved the twenty-first day of March, Anno Domini, one thousand eight hundred and sixty-five, defining and fixing the per diem salary of said directors of the poor."

This bill purports to fix the salary of the Directors of the Poor of Lehigh county. That this is attempted by amending an existing local act instead of direct enactment of a local statute makes it none the less local and special and directly violates that provision of the Constitution which forbids the enactment of local laws to regulate the affairs of counties. That this bill aims to

regulate "such affairs" has been expressly decided by the courts.

ROBT. E. PATTISON.

Veto of "An Act to Prohibit the Catching or Taking for Sale Within the Counties of Tioga and Bradford, any Grouse or Pheasant, Quail or Partridge, Woodcock, Wild Pigeon, Speckled Trout, or Black Bass, and Also to Prohibit Absolutely the Killing of Deer or Fawn for a Period of Three Years."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 13th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 507, entitled "An Act to prohibit the catching or taking for sale within the counties of Tioga and Bradford any grouse or pheasant, quail or partridge, wood-cock, wild pigeon, speckled trout or black bass, and also to prohibit absolutely the killing of deer or fawn for a period of three years."

This bill is intended to make a special game law for the counties of Tioga and Bradford. The Supreme Court has repeatedly declared that enactments of this kind, intended to make a law affecting the people of one county and not operative upon the same subjects in other counties of the State offends against Article III, section 7, of the Constitution, and for that reason I must withhold my approval from this bill.

ROBT. E. PATTISON.

Veto of 'An Act Securing to Mechanics, Journeymen and Laborers, the Right to File Liens Against Real Estate for the Amount of Wages Due for Work or Labor Done in and About the Erection or Construction Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 16th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 626, entitled "An act securing to mechanics, journeymen and laborers the right to file liens against real estate for the amount of wages due for work or labor done in and about the erection or construction thereof."

The effect of this bill would be to very materially extend the operation of the mechanics' lien law, which is at present liberal and far-reaching. Under the proposed Act all mechanics, journeymen or laborers employed in and about the erection or construction of any building or buildings would be entitled to file a lien against them under certain conditions. Such a bill would subject persons letting buildings out by contract to great harassment and oppression. As a rule, mechanics, journeymen and laborers employed in and about such buildings are protected by prompt weekly or bi-monthly payment of their wages.

Labor is fairly entitled to every just protection which the law can throw around it and I am heartily in sympathy with all measures looking to that end. The preferences which the laws of Pennsylvania at present give to the wages of labor in executions, in the distribution of decedents' estates and under other conditions, are well-merited and commendable to our legislation. The effect of the present law, however, would, in my judgment, ultimately be to hinder and obstruct

improvements, to place property owners and builders at a disadvantage, and subject them to injury and imposition. Mechanics, journeymen and laborers would, in all probability, be required to waive their rights before being employed and would be hindered rather than helped by the general operations of this law.

ROBT. E. PATTISON.

Veto of "An Act Providing that Every Vessel, Propelled in Whole or in Part by Steam, Shall be Deemed a Steam Vessel Within the Meaning of this Act, and Providing for the Inspection of the Same."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 16th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 120, entitled "An Act providing that every vessel propelled in whole or in part by steam shall be deemed a steam vessel within the meaning of this act and providing for the inspection of the same."

This bill provides for the appointment by the Governor of an inspector of all steam vessels running or navigating any inland waters of this Commonwealth and requires such functionary "to watch over all parts of the State." For the proper protection of the navigation of the State at its principal ports of entry, like Pittsburg and Philadelphia, and on the Ohio and Delaware rivers, I am satisfied sufficient provision already exists under Federal and local laws. It seems to be the aim and purpose of this statute to require a State inspection of the many little pleasure crafts propelled

by steam on the numerous lakes and inland streams of the Commonwealth. To require a watch over all these —distributed as they are over the great area of this State— by one man is, in my judgment, wholly impossible, and impracticable. Nor do I believe than any such law is needed for any public purpose. "Inland navigation in this State" is confined almost entirely to the kind of vessels I have alluded to and to make them the subject of State inspection, report and prosecution seems to me to be magnifying their importance utterly beyond any reasonable estimate thereof.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation for the Improvement and Repair of the Bank and Channel of Oil Creek, in the County of Crawford, Between the Bridge on the Meadville Road East of Holliday's Dam, and the Mouth of Pine Creek, and to Improve the Sanitary Condition of the Territory Adjacent Thereto."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 17th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 677, entitled "An Act making an appropriation for the improvement and repair of the bank and channel of Oil Creek in the county of Crawford between the bridge on the Meadville road east of Holliday's dam and the mouth of Pine Creek, and to improve the sanitary condition of the territory adjacent thereto."

This is one of the three House bills—Nos. 677, 678 and 679—which appropriate in the aggregate seventy-five thousand dollars for the improvement and repairs of the banks and channel of streams in Venango, Erie and Crawford counties, distressing as were the circumstances and effects of the disastrous flood in the valleys of Oil and Little French Creeks in 1892, there is no warrant of law for appropriations by the State of Pennsylvania to repair the banks and channels of local streams and to improve private property bordering upon them. The Constitution expressly forbids appropriations for benevolent purposes to any community. Such is the purpose of these bills, in the most favorable aspect in which they can be viewed. My obligation to conform my official conduct to the requirements of the Constitution and the oath I have taken to support it, render it impossible for me to give approval to these measures.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation for the Improvement and Repair of the Banks and the Re-Location and Deepening of the Channel of Little French Creek, in the County of Erie, so Far as Said Creek is Located within the Limits of the Borough of Union City, in Said County, and Providing Measures for Restoring the Sanitary Conditions of the Borough."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 17th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 678, entitled "An Act making an appropriation for the improvement and re-

pair of the banks and the re-location and deepening of the channel of Little French Creek, in the county of Erie, so far as said creek is located within the limits of the borough of Union City in said county, and providing measures for restoring the sanitary conditions of the borough."

This bill is vetoed for reasons which are stated in the communication accompanying my return, without approval, of House bill No. 677.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation for the Improvement and Repair of the Bank and Channel of Oil Creek, in the County of Venango, Between the Bridge on the Western New York and Pennsylvania Railroad Bridge and the Mouth of Oil Creek, and to Improve the Sanitary Condition of the Territory Adjacent Thereto."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 17th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 679, entitled "An Act making an appropriation for the improvement and repair of the bank and channel of Oil Creek, in the county of Venango, between the bridge on the Western New York and Pennsylvania Railroad bridge and the mouth of Oil Creek, and to improve the sanitary condition of the territory adjacent thereto."

This bill is vetoed for reasons which are stated in the communication accompanying my return, without approval, of House bill No. 677.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation for the Construction of a Channel for Neeson's Run Through the City of Meadville, in the County of Crawford, Between the Site of the Old French Creek Feeder Canal, at the Point Where the Said Neeson's Run Formerly Flowed Into the Same, and French Creek, and to Improve the Sanitary Condition of the Territory Adjacent Thereto."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 17th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 1033, entitled "An Act making an appropriation for the construction of a channel for Neeson's Run through the city of Meadville, in the county of Crawford, between the site of the old French Creek Feeder Canal at the point where the said Neeson's Run formerly flowed into the same and French Creek, and to improve the sanitary condition of the territory adjacent thereto."

This appropriation is for the improvement of private property, and, while possibly for a benevolent purpose, it is clearly within the Constitutional prohibition against grants of public moneys to any community.

ROBT. E. PATTISON.

Veto of "An Act To Prevent the Adulteration of Drugs, Food and Spirituous, Fermented or Malt Liquors in the State of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 19th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections therteo, House bill No. 90, entitled "An Act to prevent the adulteration of drugs, food and spirituous, fermented or malt liquors in the State of Pennsylvania."

This is a most elaborate, far-reaching and radical act. Possibly, upon the whole, its purposes are good and in the interest of public health and sanitation, but new and radical attempts, such as this, to interfere with the domestic life and private affairs of the people should always be hedged about with ample safeguards and protection against the needless invasion of our popular rights. Official inspection of "every article of food or drink by man" is such an attempt to regulate and control business and domestic life and to intefere with the right of the citizens, that it must be carefully scrutinized, lest it not only work immediate oppression and wrong, but promote duplicity, encourage fraud and evoke such resistance as would effectually defeat all its salutary purposes. Besides many other things, this bill enacts that there shall be no genuine beer, except it be made "from barley and hops," and that "all substitutes shall be considered adulterations and be under the penalty of the law, even if not deleterious to health." Why one class of the manufacturers of drink should have specified to them by the Legislature the particular ingredients of their product, and should be confined to them under the penalty of the law, even if some other ingredients may be "not deleterious to

health," it is impossible to conceive upon any honest theory which should control or construe public legislation. The enactment in one line of this bill, that all substitutes for barley and hops shall be under the penalty of the law, and in the next line that beer, if made of other ingredients not noxious to health, shall be so labeled, seem to be wholly inconsistent. Moreover, no legislation of this character can effect or regulate the inter-state traffic in beer, the product of breweries situated outside of our Commonwealth, and such ruthless discrimination against a large class of our own manufacturers seems to have been short-sighted and ill-consilered. Section 9 of the act of May 24, 1887, to regulate pharmacy, amended by the act of June 16, 1891, provides against the falsification or adulteration of drugs or medical substances, and the attempt to repeal it by section 14 of the bill under consideration would, in all probability, work evil and confusion. I believe that something may be done in a general way toward the prevention of adulteration and imposition in articles of food and drink, but such legislation must be undertaken with great caution. It should be the subject of careful study by the regularly constituted health authorities of the State, and ought to have their approval before submission to the Legislature. I am satisfied the bill before me is not only not such a measure as would recommend itself to popular approval and secure the moral support which all sound laws should be able to gather to themselves, but that, in the main, it would work far more harm than good. The people of the Commonwealth can better afford to wait for the enactment of a more carefully drawn law than to submit to the evils which would attend the enforcement of this one.

ROBT. E. PATTISON.

Veto of "An Act to Repeal 'A Supplement to an Act to Extend the Powers of Certain Officers of Allegheny County,' and for the Better Regulation of the Sabbath in said County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 20, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 47, entitled "An Act to repeal an act, entitled 'A Supplement to an act to extend the powers of certain officers in Allegheny county,' approved the twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-five, and for the better regulation of the Sabbath in said county,' approved the twenty sixth day of April, Anno Domini one thousand eight hundred and fifty-five."

The act of April 22, 1794, entitled "An Act for the prevention of vice and immorality and of unlawful gaming, and to restrain disorderly sports and dissipation," intended to protect and preserve the sanctity of the Sabbath, in its first section provides: "that from and after the first day of August next, if any person shall do or perform any worldly employment or business whatever on the Lord's Day, commonly called Sunday, works of necessity and charity only excepted, or shall use or practice any unlawful gaming, hunting, shooting, sport or diversion whatsoever on the same day, and be convicted thereof, every such person so offending shall, for every such offense, forfeit and pay four dollars to be levied by distress; or in case he or she shall refuse or neglect to pay the said sum or goods and chattels cannot be found whereof to levy the same by distress, he or she shall suffer six days imprisonment in the House of Correction of the proper county: Provided always, That nothing herein contained shall

be construed to prohibit the dressing of victuals in private families, bake houses, lodging houses, inns and other houses of entertainment, for the use of sojourners, travelers or strangers, or to hinder watermen from landing their passengers, or ferrymen from carrying over the water travelers or persons removing their families on the Lord's day, commonly called Sunday, nor to the delivery of milk or the necessaries of life before nine of the clock in the forenoon nor after five of the clock in the afternoon of the same day."

The ordinary penalty for violation of this Act is four dollars. The third section of the act of 26th day of April, 1855, presumably passed in deference to the wishes of the people of Allegheny county, provides for an increase in this penalty from four dollars to twenty-five dollars for the violation of the act in Allegheny county. The bill before me proposes to repeal this special Act and to reduce the penalty from twenty-five dollars to four dollars in Allegheny county.

It is not urged in behalf of this repealing act that the Act of 1794 is an unwise one, for, obviously, if that were the case, its general repeal should be sought. Upon the contrary, it is conceded to be a wholesome Sunday regulation, and as such has been affirmed and re-affirmed by the lower and highest courts of the State repeatedly. The highest authority has declared that in the enactment of this law by the legislature, "their controlling object was to protect the community against vice and immorality. This they attempted to do by declaring illegal all worldly labor and business except works of necessity and charity." It was placed upon the statute books and has been continued there in the recognition of a sound public sentiment. The instincts of a moral and law-abiding people find it as much needed to-day as when first written into the laws a hundred years ago. No popular demand is made for its repeal. It is broad, liberal and flexible. There-

fore, its penalties should be sufficient to secure its observance and enforcement, in order to preserve and secure the salutary objects for which it was enacted.

For thirty-eight years the penalty of twenty-five dollars for its violation has been in force in Allegheny county, during which time the population there has increased from 159,182 to 551,959, the increase being largely in cities and other centers of population. It is the unconcealed object of this repealing clause to weaken its enforcement among this population and to render its violation more easy and less expensive. The offer of a premium for the violation of a law is indeed a noval proposition. I am of the opinion that, if the increased penalty has had the effect to secure the better observance and stricter enforcement of the law, the effort of sound legislation should rather be to make the penalty general than to impair the effectiveness of the law in a particular community. Most wholesome statutes are wholly destroyed by a failure to provide proper penalties.

After a very deliberate examination of this bill and liberal indulgence to all of the considerations which have been advanced in its favor, I am strengthened in my conclusion that its approval would be a step backward and an encouragement toward the violation of a reasonable statute, and therefore decline to approve the bill.

ROBT. E. PATTISON.

Veto of "An Act to Enable City, County, Township, Ward, School and Borough Tax Collectors to Collect for the Payment of Which they Have Become Personally Liable without Having Collected the Same, but by Expiration of the Authority of their Respective Warrants, and to Extend the Time for Collection of the Same for a Period of One Year from the Passage of this Act."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 22nd, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 104, entitled "An Act to enable city, county, township, ward, school or borough tax collectors to collect taxes for the payment of which they have become personally liable without having collected the same, but by expiration of the authority of their respective warrants, and to extend the time for collection of the same for a period of one year from the passage of this Act."

The effect of this bill is to enable slothful and negligent tax collectors, who have failed to collect taxes within the period of their authority, to extend the lawful time for the collection of the same for a period of one year from the passage of this Act, and, as it would happen in some cases, several years beyond the time when their authority expired under previous laws. The laws in operation when all outstanding duplicates were put into the hands of the various tax collectors were liberal in the time within which they authorized the collection of these taxes by summary process. Tax collectors accepted their trusts with a full knowledge of their responsibility, and they, alone, are at fault if persons liable for taxes have escaped their payment. The law looks with disfavor upon negligence and

laches in public officials, and legislation intended to put a premium on such negligence would be calculated to demoralize the public service. Moreover, it would impose new liabilities on persons who, for years, have been exempt from them. Such legislation is both pernicious and offensive to a proper sense of justice.

ROBT. E. PATTISON.

Veto of "An Act to Amend 'An act to Carry Into Effect Section Five of Article Fourteen of the Constitution, Relative to the Salaries of County Officers and the Payment of Fees Received by Them into the State or County Treasury in Counties Containing Over One Hundred and Fifty Thousand Inhabitants.' "

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 22nd, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 232, entitled "An Act to amend an act, entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants,' approved thirty-first March one thousand eight hundred and seventy-six, providing for assistant district attorneys and fixing the salary of the same and increasing the salaries of county solicitor, clerk of the courts, recorder of deeds and treasurer, county commissioners, controllers, coroners, county directors of the poor, jury commissioners and county de-

tective, and decreasing the salaries of auditors and county surveyor."

This act is intended to increase the salaries of certain county officers in counties containing over 150,000 inhabitants, and to provide for assistant district attorneys in such counties. I assent in the main to the proposition that the General Assembly is to determine the proper compensation for public officials, the presumption being that in such matters the representatives of the people will not fix inordinate pay for their public servants, nor recklessly vote away public moneys. The present bill makes increase of compensation in a number of offices, in which I have reason to believe the present salary is inadequate, but it has been brought to my notice that an imposition was practiced upon the legislature and upon the deserving subjects of this bill's bounty by the inordinate increase introduced into this measure of the salary of the clerk of the courts from $3,500 to $6,000. To the responsible position of prothonotary there is affixed the salary of $6,000, and to that of register of wills and ex-officio clerk of the orphans' court $3,500, while to the office of clerk of the courts, which relates only to the Quarter Sessions and Oyer and Terminer, there has been by this bill affixed a salary of $6,000, being $2,000 greater than is allowed to the judges of that and the Common Pleas courts, who are members of a learned profession and skilled in the law. This discrepancy is so glaring and the introduction of it into this bill was so officious and unnecessary that, in my judgment, it calls for condemnation of the entire measure.

ROBT. E. PATTISON.

Veto of "An Act To Repeal 'An Act to Prevent the Consolidation of Competing Pipe Lines for the Transportation of Oil, or to hold the Controlling Interest in the Stock or Bonds of Competing Pipe Lines, or the Acquisition or Control Either Directly or Indirectly, by Purchase or Otherwise, and Prescribing Penalties for the Violation Thereof.'"

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 22d, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 361, entitled "An Act to repeal an act, entitled 'An act to prevent the consolidation of competing pipe lines for the transportation of oil or to hold the controlling interest in the stock or bonds of competing lines or the acquisition or control either directly or indirectly by purchase or otherwise, and prescribing penalties for the violation thereof,' approved the thirteenth day of June, Anno Domini one thousand eight hundred and eighty-three."

The act of June 13th, 1883, which met the approval of the present Executive during his former term, was a wise measure intended and necessary at the time to prevent a monopoly of the oil-carrying interests. The long agitation for legislation which would authorize the incorporation of oil pipe lines and invest them with the rights and powers necessary to their successful construction, eventuated in what was known as the "Free Pipe Line Bill." To protect and preserve the rights it secured, the Act of June 13th, 1883, was an essential supplementary measure, else all the advantages of the Free Pipe Line Bill would have been lost, by permitting monopolies to consolidate and to acquire controlling interest in the competing pipe lines to be created under the salutary legislation of that session.

It is now proposed to repeal this act. The inevitable effect would be to drive competing lines into consolidation or to put the shippers of this important product at the mercy of the great monopolies which might be able to secure and hold the controlling interest in the stock or bonds of competing lines. When the Commonwealth conferred upon these companies its high prerogative of eminent domain, enabling them to take private property for what, in contemplation of the law, were public uses, it was upon the implied contract that the public should have all the advantages of the competition thus created and promoted. To deprive them of this advantage by such legislation as is herein proposed would, in my judgment, be unfair, unwise and against sound public policy, and I am especially unwilling to approve it in the face of the earnest protest which has reached me from great numbers of citizens directly affected.

ROBT. E. PATTISON.

Veto of "An Act to Make an Appropriation to the Centennial and Memorial Association of Valley Forge."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 23rd, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 912, entitled "An Act to make an appropriation to the Centennial and Memorial Association of Valley Forge."

At the session of the General Assembly just ended, there was passed an act providing for the acquisition

of certain ground at Valley Forge for a public park. That bill, approved May 30th, 1893, appropriates $25,000 for the purchase of the historic ground on which the Continental Army, under the command of General George Washington, was encamped in winter quarters at Valley Forge, and it further provides for a commission of ten citizens to negotiate the purchase of these grounds and to adopt plans for their improvement, preservation and maintenance. This legislation contemplates the purchase of the Valley Forge camping ground by the Commonwealth for public purposes, whereas the act now under review makes an appropriation of $5,000 for adjoining grounds, which are the property of a private association, owned and managed for its own purposes, and in no wise under the control of the State, but expressly excluded from purchase and condemnation under the act of May 30, 1893.

While I heartily favored and promptly approved the measure providing for the acquisition by the State of property made memorable by the heroic deeds of the Revolutionary period, I am of the opinion that the State should not be asked to patronize and maintain the property of a purely private association which is in no sense to be under the control of the State authorities. All the public purposes to be served by the act of 1893 would be best promoted by the acquisition also of the property now owned by the Centennial Memorial Association. A proper scheme to maintain, improve and preserve the ground at Valley Forge would include the acquisition of the property known as Washington's Headquarters, and owned by the Centennial and Memorial Association. All of this famous field should be the property of the State, under one management and control. For the State to make an appropriation of $5,000 for the benefit of the private association would only be to render the acquisition of its property more difficult and expensive. If the Centennial and Memo-

rial Association has for its object patriotic and public service, it will help rather than hinder the acquisition by the Commonwealth of the property which it now owns. If it is inspired by purposes of private profit or selfish interests, it has no claim upon the bounty of the Commonwealth.

ROBT. E. PATTISON.

Veto of "An Act to Provide for the Support of the Indigent Insane in Certain Counties or Cities of this Commonwealth."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 23rd, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 377, entitled "An Act to provide for the support of the indigent insane in certain counties or cities of the Commonwealth."

This bill proposes to transmit to the several counties or cities of the Commonwealth the indigent insane and it offers inducements to the authorities of such cities and counties to maintain their own indigent insane wholly or in part by providing that the State shall maintain an equal number free of cost, and shall pay to such city or county one-half the cost of maintaining a greater number of such persons in any local hospital or almshouse than are being treated in the State hospitals from such city or county.

In filing a measure somewhat similar to this, with my disapproval, on June 22nd, 1891, I took occasion to say:

"Gradually during the past few years the insane in

digent inmates of county almshouses have been removed therefrom into State hospitals for reasons that have recommended themselves to the approval of the most intelligent and experienced students of the proper treatment of this unfortunate class. Humane and disinterested investigation of the condition of the insane in county asylums has abundantly proved that the system of treatment in State institutions is vastly preferable to that of local care. As a result there are now but sixteen counties in the State where chronic insane are maintained in the local almshouses, and it is undeniable that the average standard of care in them is far below that which is manifested in the treatment of the inmates of State institutions. Three-fourths of the number of insane persons for whom this bill provides are in four counties of the State. I am thoroughly convinced that the bill recently framed by the Board of Public Charities and the Committee on Lunacy, for a State asylum for the chronic insane, which has also been enacted by the Legislature at its last session, provides a much better system of treatment than that contemplated in the bill under review. That act, to which I have given my approval, makes the present act wholly unnecessary. The experience, not only of our own Commonwealth, but of others in which the most advanced methods of treating the question of State management of the insane have been tested, has confirmed the wisdom of the plan of maintaining the incurable insane in the larger State institutions instead of in the county almshouses, and I am not willing to approve a measure which involves a backward step."

These considerations are far more cogent and forcible now than they were then, for the reason that there is in progress of erection a new hospital for the chronic insane, which will greatly relieve the present overcrowded condition of the present hospitals. The best professional authority which I have been able to

consult confirms my judgment that the detention of the insane in the county almshouses pauperizes many worthy but unfortunate people who have a right to the care of the State. The insane are peculiarly the wards of the Commonwealth and the chances for their cure or improvement are diminished if confined in county almshouses and are enhanced when they are afforded the advantages of a State hospital or asylum.

I am satisfied that the bill before me is a step backward, and I am not willing to reverse the progressive and humane policy of this Commonwealth by its approval.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation for the Purpose of Erecting a Protection Wall and Filling the Washout Caused by the Erection of Dam Number One, and Abutments Thereto, of the Beaver Division of the Pennsylvania Canal at Bridgewater, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, June 26th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 1032, entitled "An Act making an appropriation for the purpose of erecting a protection wall and filling the washout caused by the erection of dam number one and abutment thereto of the Beaver division of the Pennsylvania canal at Bridgewater, Pennsylvania.

I have listened with much interest and attention to the forcible and earnest arguments made before me

in behalf of this measure, and have read with care briefs submitted in its favor. Of the numerous bills of a somewhat similar character which have from time to time been presented for my consideration I am disposed to hold this to be among the most deserving. Nevertheless it seems to me to be such an appropriation of public moneys for benevolent purposes to a community as falls within the constitutional prohibition. The best interpretation of Section 18 of Article III has been that it was intended to prohibit and prevent acts of relief for losses by fire, flood and like causes involving appropriations from the State Treasury to a body of inhabitants or to individuals among them at any time or place. This has been the uniform view of my predecessors and the one to which I have have constantly adhered.

It has been argued with much plausibility that this bill is the recognition by the State of a claim against it for damages, and is, therefore, to be regarded as the payment of a just obligation instead of a donation for benevolent purposes. The history of the case, as presented by its friends, hardly, however, justifies this position. It is alleged that in the construction of the old canal at the mouth of the Beaver river in Bridgewater borough, Beaver county, sixty years ago, the State, then in control of the public works, so constructed its abutment as to create a reaction and swirl in the water when at a high stage, gradually causing the bank to be undermined, carrying away the street and doing injury to private property. To remedy or prevent this, a temporary crib work was constructed, which was carried away by the floods and not replaced, so that the damage has steadily increased from that day. In 1843 this canal passed from the ownership and control of the State to a private corporation. That alone, it would seem, had relieved the State from any

legal or moral obligation on account of this damage. But in 1858 a claim similar to this was brought to the attention of the Legislature and the Canal Commissioners were directed to investigate its merits, and their report was to the effect that the State was relieved from any liability it might originally have contracted by its transfer of the public works to a private corporation. This seems to me to be a final adjudication of the matter and it is against public policy to revive the claim at this late day. If the damage has increased by the neglect to take proper precautions against it, or to erect the necessary protections a half century ago, the resulting liability ought not to be imposed upon the Commonwealth. In its most favorable aspect this is an appropriation for the relief of a borough and of private property owners from damage done by natural forces for which the liability of the State is extremely remote and indirect and the claim upon the Commonwealth is very stale indeed. To recognize it at this late date would be to encourage numberless claims of a like character from persons or communities whose property may have been affected by the construction of other public works a long time ago, or which may have been further damaged by the transfer of these works from the Commonwealth to the private corporation which subsequently came to operate them. The recognition of one such claim would be the establishment of a dangerous and costly precedent, and however worthy and deserving the one particular object of this bill may be, I am far from being convinced that it has any just claim upon the treasury of the Commonwealth.

ROBT. E. PATTISON.

Veto of "An Act Making an Appropriation to Pay the Expenses of the Committee on Elections of the House of Representatives for Investigating and Preparing Reports on Contested Elections in the Counties of Crawford, Lackawanna, Lancaster and Montgomery during the Session of the Legislature of One Thousand Eight Hundred and Ninety-three."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 29th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 788, entitled "An Act making an appropriation to pay the expenses of the Committee on Elections of the House of Representatives for investigation and preparing reports on contested elections in the counties of Crawford, Lackawanna, Lancaster and Montgomery during the session of the Legislature of one thousand eight hundred and ninety-three."

This bill appropriates $26,571.60 to pay the expenses of the Committee on Elections of the House of Representatives for the "general and necessary expenses" incurred in investigating four contests to seats in the House of Representatives.

I have already approved, not without some misgivings, eleven bills appropriating $18,563.70 to pay the expenses of the contestants and contestees in such disputes and to pay the salaries of the ousted members. The session of the General Assembly recently ended has been prolific of these contests. In several instances they were transferred from the courts of the several counties to the General Assembly with a facility and readiness indicating that all parties concerned preferred a forum in which, regardless of the final out-

come, the expenses of all concerned would be saddled upon the Commonwealth. So long as the General Assembly continues the practice of liberally voting appropriations to pay the expenses alike of the successful and unsuccessful contestants, persons desiring to make these contests may be expected to bring them to the Legislature.

There is a certain measure of justice, of course, in the custom of paying to the contestee, who takes his seat in good faith, continues in the legislative service during most of its term, and is finally ousted, his salary if not his expenses; nor can it be denied that the successful contestant, to whom is finally adjudged the right of the seat—justly or wrongfully—has claims upon the Commonwealth for the salary for the whole term, notwithstanding he was excluded from his rights for the greater portion of it.

In view of these considerations I feel that I have been indulgent and fair to all parties, without being unjust to the Commonwealth, in giving my approval to these single and separate appropriation bills to pay the salaries and expenses of parties to legislative contests. I have reason likewise to believe that in their details these bills will receive vigilent scrutiny from the Auditor General. At the same time I desire to give warning to the public that this system of paying all parties has a tendency to promote and encourage such contests and to transfer their investigation to a body too often moved by partisan interest, and to take them out of the courts where the more deliberate methods of judicial investigation are better calculated to create confidence in the final judgment reached.

Upon being confronted with the additional bill of $26,571.60 to pay the expenses of investigating these contests, I have felt it my duty to carefully examine into the merits of this proposition before giving my assent thereto. This bill is largely made up of items

practically constituting extra compensation for officers and members of the House of Representatives, in direct violation of that provision of law which declares that "no greater compensation or allowance" than is provided by the existing salary act "shall be voted by either house to any officer thereof for services performed at any session." The law of May 11th, 1874, as amended by the act of July 7th, 1885, fixes, prescribes, defines and limits the compensation and pay of the members and the officers of the House of Representatives. They are paid a prescribed mileage for coming to the State Capital and for the return to their homes, and they are allowed a fixed per diem compensation, which is held to apply to every day of the term, from its beginning to its end, whether the House is in session or not. This pay, as I took occasion to say in approving the Act of 1885, is not only liberal but, in the case of some officers and employes, excessive and extravagant. In the bill now under review, the Sergeant-at-Arms of the House is allowed in one case $926.30, in another $1,068.00, in another $1,006.20, and in the other $1,551.90, a total of $4,552.40, for "attendance on the Committee and return, for subpoenaing witnesses, and furnishing copies of subpoenas, and for mileage in subpoenaing witnesses at various points. There is no authority of law for any fixed rate "per mile" for the attendance of the Sergeant-at-Arms upon the House or its Committee, nor is there any rate established for this official for subpoenaing witnesses or for his mileage while engaged in that service. He is the officer of the House, subject to its direction and bound to devote himself to its service as it may order or authorize its Committees to direct him. He is entitled to be paid his legal "per diem," whether in ordinary or extraordinary service, and when engaged in unusual service, involving expense, he is entitled to be paid for his actual and necessary outlay and expenses.

But the assumption of this bill that he is entitled to be paid at some arbitrary rate, and by the application of this rate to have his compensation as an officer of the House increased thousands and thousands of dollars, far of excess of the pay of any officer or member thereof, are wholly and utterly without warrant of law. By the application of this system, to such objects of it as are countenanced by this bill, the office of Sergeant-at-Arms of the House could be magnified into one with perquisites far exceeding the salary or compensation of any other official in the Commonwealth. Such was not the intention of the law. It is, indeed, expressly forbidden by the law, and I am not willing to give my approval to any measure which would permit it or render it possible. If the House of Representatives or its committees required the attendance of the Sergeant-at-Arms upon the Elections Committee, he is entitled, in addition to his regular pay, to his actual expenses while in such service and to nothing more. If his absence from Harrisburg involved the employment of other assistants to the House of Representatives, they should have been provided by that body and not by him. I have no reason to believe, however, that the force of employes attached to the House was not ample, even in his temporary absence, to provide for all its wants.

Moreover, special inquiry, made by and for the Executive, has abundantly satisfied my mind that the service of subpoenaing witnesses and the mileage charged for in this bill, were not actually rendered and performed by the Sergeant-at-Arms. I have not been permitted to examine in detail all of the bills submitted to the Committee on Appropriations, upon which the grants made in this bill were allowed, but as far as I have had any opportunity to investigate, I have been fully satisfied that far more witnesses are here charged for than were actually before the Committee or neces-

sary to its investigation, and far more miles are herein charged than were really traveled. I have been furnished, in the case of the contest in Lancaster city, with the affidavit of one of the constables in that city who subpoenaed a large portion of the witnesses, that they received and were allowed for their services a compensation of but $15.00 for ninety-nine witnesses, an average of fifteen cents for each. An examination of the testimony in that case shows that there were scarcely two hundred witnesses examined, whereas the bill charges for five hundred and seventy-four subpoenaed. Assuming that the whole number charged for were actually subpoenaed the cost of such services, at the rate which it has been proved to my satisfaction was paid, would not exceed $90.00, whereas, in the bill before me, $1,006.20 has been charged as part of the "general and necessary expenses." Applying the same method of calculation to the other items of this bill, I can have no reasonable doubt that there is sought to be drawn out of the State Treasury, for the Sergeant-at-Arms of this Committee, over $4,500 for a class of expenses which could not have involved an outlay on his part of one tenth of that amount.

The hotel expenses for the sessions of this Committee, meeting scarcely a dozen times in each of four contests, aggregate $5,197.70. When it is remembered that an average of less than ten members of the Committee attended these sessions, the exorbitant character of these charges can be measured; but, in addition, the opportunity given me to examine at least one of these so called hotel bills has enabled me to satisfy myself that the so called "general and necessary expenses" of the Committee are being used to cloak the most prodigal, wasteful and inexcusable expenditures of the public moneys. I am not averse to allowing members of the General Assembly, engaged in this and like extraordinary service, general and liberal appro-

priations for their comfort and decent entertainment, but the gross and wanton abuse of this license for the wholesale entertainment of all comers, and to permit persons dealing with the Commonwealth and its officials to impose unwonted charges, far in excess of their rates to private individuals, is an abuse which, when brought to my attention, I am bound to check and to prevent.

Under the pretense of "extra car fare and telegrams" this bill appropriates an aggregate of $6,271.00 in sums ranging from $100 to $869 to the various members of the Elections Committee. In view of the fact that all the hotel bills of the Committee are otherwise provided for; that the "telegrams" relating to the actual business of the Committee could and should have been sent through and by its officers; and that the amounts set forth in this bill are wholly and utterly disproportionate to any reasonable allowance for car fare between the State Capital and the points visited by the Committee, I am constrained to believe that these grants are a pretext for indirectly increasing the compensation and emoluments of certain members of the Legislature, in flagrant violation of the law. While under ordinary circumstances I might confidently leave the proper auditing of these bills to the watchfulness of the auditing department of the State Government, yet taken in connection with other features of this extraordinary bill, I regard this allowance for "extra car fare and telegrams" as of such unusual character as to warrant me in relieving the Auditor General from the responsibility of investigating it and of determining its accuracy.

The allowance to the stenographer of thirty cents per page for his transcripts of testimony, the same being manifold and charged four times, together with his "per diem" of $10.00, his car fare, hotel expenses and all his materials, making an aggregate of $3,940.04,

seems to me to be excessive and beyond all reasonable compensation which would be allowed by private individuals for similar services. The reservation in this bill that the money appropriated for witness fees shall only be paid by the State Treasurer on the warrant of the Auditor General and shall not be paid to the Sergeant-at-Arms, justifies the suspicion, excited in my mind by other sources of information, that the allowance for the mileage and payment of witnesses is exorbitant and excessive. Ordinarily, I might feel constrained to approve this item of the bill and leave the task of sifting out the worthy from the unworthy to the Auditor General, but I feel that this entire measure is so saturated and permeated with an attempt to impose upon the Commonwealth and to take from its Treasury a large amount of money for which no just claim exists, that I am unwilling to approve any portion of the same or to make it possible for those who framed and devised it, and for whose benefit it was imposed upon the Legislature during the hurried business of the last day of the session, to profit from it.

ROBT. E. PATTISON.

Veto of "An Act Relating to Street Passenger Railway Companies and to Traction and Motor Power Companies, authorizing Sales and Leases of the Franchises and Property of the Former to the Latter, Authorizing Contracts Between Such Companies for the Construction of Motors, Cables, Electric and Other Apparatus and Appliances Upon and Along the Lines of the Former, Authorizing Contracts for the Operation of Railways by Such Traction and Motor Companies by Means of Such Apparatus and Appliances, and of all Other Lawful Motive Power, and Authorizing Traction and Motor Power Companies to be Lessors and Grantors and to Become Lessees and Grantees of Property and Franchises."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, June 29th, 1893.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 52, entitled "An Act relating to street passenger railway companies and to traction and motor power companies, authorizing sales and leases of the franchises and property of the former to the latter, authorizing contracts between such companies for the construction of motors, cables, electric and other apparatus and appliances upon and along the lines of the former, authorizing contracts for the operation of railways by such traction and motor companies by means of such apparatus and appliances, and of all other lawful motive power, and authorizing traction and motor power companies to be lessors and grantors and to become lessees and grantees of property and franchises."

The purpose of this bill, as its title indicates, is to effect a combination by sales or leases of the Street

Passenger railway companies "hertofore" or "hereafter" incorporated with any traction or motor power company. Then in turn "any traction or motor power company may lease its property and franchises to any other traction or motor power company and may become the lessee of the property and franchises of any other traction or motor power company." To more effectually aid the coalition and consumate the financial arrangements, authority is given to issue bonds and mortgage the franchises and property. Such legislation is in violation of the spirit, if not the letter, of the Constitution. It is certainly against a sound public policy. Already the baleful effects of such alliances have been felt in Philadelphia and Pittsburg. In both cities they have conducted their business in utter disregard of the comfort or convenience of the citizens. They are always in favor of private gain and against the public interest. Legislation should encourage healthy competition rather than promote its destruction, more especially at a time when companies are being multiplied for the operation of electric roads in the cities, town and country districts. To give legislative authority to extend the conditions which exist in the two cities I have named would the more effectually place the people of the Commonwealth in the hands of a cabal. The advocates of the measure claim that the authority already exists for such combinations under the Act of 22nd March, 1887; if so then there is no necessity for its further enactment into a law. On the other hand, if the Act of 1887 confers such power, then the sooner it is removed from the statute books, the better for the public good. I am not willing to give my approval to a law with such a purpose in view.

ROBT. E. PATTISON.

Veto of Part of "An Act to Provide for the Ordinary expenses of the Executive, Judicial and Legislative Departments of the Commonwealth, Interest on the Public Debt, and for the Support of the Public Schools, for the Years Anno Domini One Thousand Eight Hundred and Ninety-three, and One Thousand Eight Hundred and Ninety-four."

APPROVED THE 6TH DAY OF JUNE, A. D., 1893, except as to the following items:

Public Buildings and Grounds.

Section 15. "For electric current for operation of elevator motors, Senate and House of Representatives, exhaust ventilating fans, Diehl ventilating fans, etc., in the several departments, for portions of the years one thousand eight hundred and ninety-one, one thousand eight hundred and ninety-two, one thousand eight hundred and ninety-three, and one thousand eight hundren and ninety-four, the sum of one thousand nine hundred and forty-two dollars, as per itemized statement in the hands of the Board of Commissioners of Public Grounds and Buildings."

This item is disapproved, because the title to the present bill limits all appropriations made by it to the ordinary expenses of the State government, for the years 1893 and 1894, and no appropriations for previous years can be properly embraced in this bill. Whatever deficiencies exist on that account, must, under the provisions of the Constitution, be provided for in some other manner.

For the same reason I disapprove of the following item, also in section fifteen:

"For the payment of rent for the upper portion of the building on the corner of Second and Locust streets, now occupied by the Bank Examiner, World's

Fair Commission, and Factory Inspector, from the first day of September, Anno Domini, one thousand eight hundred and ninety-two, to the thirty-first of May, Anno Domini, one thousand eight hundred and ninety-three, the sum of one thousand dollars, or so much thereof as may be necessary."

For like reason I disapprove of the whole of section thirty: "For the payment of serving special election writs, subsequent to the session of one thousand eight hundred and ninety-one, in the following cases, namely: In the Sixth legislative district of Philadelphia, the sum of fifty dollars, or so much thereof as may be necessary; in the Twenty-first legislative district of Philadelphia, the sum of fifty dollars, or so much thereof as may be necessary; in the county of Blair, the sum of seventy-one dollars, or so much thereof as may be necessary, to be paid to George R. Hoopes, sergeant-at arms of the House of Representatives, upon the warrant of the Auditor General, on the presentation of the specifically itemized vouchers approved by him," the same being for expenses which were no part of the expenses of the government for the years covered by the title of this bill.

For like reasons I disapprove the following items:

Section 32. "For the payment of serving a special election writ subsequent to the session of one thousand eight hundred and ninety-one, in the Nineteenth Senatorial district, the sum of seventy-five dollars and seventy cents, or so much thereof as may be necessary, to be paid to George G. Hutchinson, sergeant-at-arms of the Senate, upon the warrant of the Auditor General, upon the presentation of specifically itemized vouchers approved by him."

Section 33. "For the payment to George G. Hutchinson, sergeant-at-arms of the Senate, for the session of one thousand eight hundred and ninety-one, for attendance upon the Appropriation Committee of the Senate,

the sum of three hundred and ninety-one dollars, or so much thereof as may be necessary, to be paid upon the warrant of the Auditor General, upon the presentation of specifically itemized vouchers duly approved by him."

Section 34. I disapprove of the following item: "To William H. Ulrich, of Hummelstown, late prothonotary of the court of common pleas of Dauphin county, for costs and fees due him by the State, in cases in which the State of Pennsylvania was plaintiff, the sum of nine hundred and thirty-six dollars and fifty-five cents, or so much thereof as may be necessary, to be paid on the warrant of the Auditor General, upon the presentation of a properly itemized account and vouchers, approved by the Attorney General," for the reason that it relates to a deficiency incurred by the Commonwealth for years previous to those embraced in the tile of this bill, and if a just obligation of the State, should have been provided for by a separate bill, properly entitled in accordance with the constitutional requirements.

ROBT. E. PATTISON.

Proclamation of Vetoes. 1893.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

I, ROBERT E. PATTISON, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and in compliance with the provisions

of Article 4, Section fifteen, of the Constitution thereof, do hereby give notice, that I have filed in the office of the Secretary of the Commonwealth, with my objections thereto, the following bills passed by both Houses of the General Assembly, viz:

House Bill No. 43, Entitled "An Act to provide for an additional law judge of the several courts of the twenty-seventh judicial district."

House Bill No. 457, Entitled "An Act regulating constables' returns to the quarter sessions court of the county of Chester."

House Bill No. 338, Entitled "An Act granting an annuity to Thomas A. Wagner of Snyder county, Pennsylvania, private in Company H, Thirty-sixth regiment, Pennsylvania State Militia."

House Bill No. 339, Entitled "An Act granting a pension to Hamilton Smith of Jefferson county."

House Bill No. 466, Entitled "An Act repealing so much of section one of an act, approved April twenty-fifth, one thousand eight hundred and eighty-nine, entitled 'An Act to amend the provisions of the first section of an act, approved May thirteenth, one thousand, eight hundred and eighty-seven,' entitled "An act for the destruction of wolves and wild cats as provides a premium for the destruction of foxes," so far as the same applies to Fayette county."

House Bill No. 595, Entitled "An Act granting an annuity to Stephen Smith, of Lehigh county, Pennsylvania, a private, afterwards second lieutenant, in Company I, Forty-first regiment, Pennsylvania Volunteers."

House Bill No. 241, Entitled "An Act to prevent the prosecution in this State of actions which at the time of commencing the same are barred by the laws of the State or country in which the cases thereof arose."

Senate Bill No. 156, Entitled "An Act to repeal the eighth section of an act, entitled 'An act to incorpo-

rate the Schuylkill County Agricultural Society, relative to a school district in Schuylkill county to an election district in said county, to the daily pay of the commissioners of Berks county, to reporter of the decisions of the Supreme Court, to the collection of school taxes in certain townships in Crawford and Allegheny counties, to the estate of Joseph Parker Norris, deceased, to the Keystone Life and Health Insurance Company, to tavern licenses in Philadelphia city and county, to the estate of Polly Dunlap of Clearfield county, to the sale of a lot of ground by the overseers of the public school of the city and county of Philadelphia," approved the fourteenth day of April, one thousand eight hundred and fifty-one."

House Bill No. 518, Entitled "An Act repealing so much of section one of an act approved April twenty fifth, one thousand eight hundred and eighty nine, entitled 'An act to amend the provisions of the first section of an act, approved May thirteenth one thousand eight hundred and eighty seven, entitled "An act for the destruction of wolves and wildcats, as provides a premium for the destruction of foxes and minks,'" so far as the same applies to Greene county."

Senate Bill No. 54, Entitled "An Act to repeal the first section of an act, entitled 'An act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors in the borough of Braddock, borough of Sewickley, townships of Wilkins, Versailles, Penn, North Fayette, South Fayette, Sewickley, Leet and Killbuck, in the county of Allegheny,' approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, so far as the same relates to the borough of Verona in the said county of Allegheny."

House bill No. 183, Entitled "An Act to provide for the publication of abstracts of charters and other documents relative to corporations filed in the office of the Secretary of the Commonwealth."

House Bill No. 980, Entitled "An Act making an appropriation to the Waterford Academy, at Waterford, in the county of Erie."

House Bill No. 100, Entitled "An Act authorizing the Superintendent of Public Instruction to place in each public school of this Commonwealth one copy of Smull's Legislative Hand Book, and providing for the same, and providing compensation for a more thorough revision of the work."

Senate Bill No. 136, Entitled "A Supplement to an act, entitled "An act granting a pension to Louis Neudoerffer,' approved April second, one thousand eight hundred and sixty-seven, extending said pension to his widow Ida Neudoerffer."

Senate Bill No. 40, Entitled "An Act relating to debts of record of decedents."

House Bill No. 196, Entitled "An Act to amend sections two and three of an act, entitled 'A supplement to an act to provide for the appointment of a fire marshal for the county of Allegheny,' approved the fourteenth day of April, one thousand eight hundred and seventy, enlarging the duties and powers of the Fire Marshal."

House Bill No. 982, Entitled "An Act making an appropriation to the Pennsylvania State Agricultural Society."

House Bill No. 476, Entitled "An Act to prohibit the peddling, selling or hawking of merchandise, wares or other goods within this Commonwealth without a license."

Senate Bill No. 525, Entitled "An Act making an appropriation to aid the several townships in this Commonwealth in the construction, improvement and maintenance of public roads, and providing the manner of the distribution of the same."

Senate Bill No. 405, Entitled "An Act to authorize cities to make appropriations for the establishment

and maintenance of free libraries and to acquire by condemnation eligible sites for the location thereof."

Senate Bill No. 277, Entitled "An Act to prohibit the peddling, selling or hawking of produce and merchandise in the cities of the second and third classes within this Commonwealth without a license."

House bill No. 104, Entitled "An Act to make taxes assessed upon real estate by counties, townships and boroughs a lien, and to provide for the collection of such taxes, and a remedy for false returns."

House Bill No. 150, Entitled "An Act to protect the revenue of the State by preventing fire insurance companies, firms and associations incorporated by another State or a foreign government, or organized under the laws thereof, from taking risks, issuing policies, or placing insurance within this State or upon property situate therein, except by agents or officers residing within this State, requiring for that purpose affidavit under pain of perjury before license shall be issued to any such company, firm and association, and further regulating the issuing of licenses thereto."

Senate Bill No. 17, Entitled "An Act authorizing cities and boroughs of the Commonwealth of Pennsylvania to purchase bridges already erected or to erect and maintain bridges over streams and rivers which may separate portions of such cities and boroughs, and providing for the condemnation of such land as may be necessary for piers, abutments, fills, slopes and approaches thereto."

Senate Bill No. 98, Entitled "An Act to authorize the orphans' court of any county of this Commonwealth upon petition to appoint a commissioner to inquire into the advisability of funding a charge upon any lands in this Commonwealth by last will and testament and upon his report to decree the appointment of a trustee to hold and invest the fund, and further authorizing

the court to make a decree discharging the land from the lien of the charge."

Senate Bill No. 196, Entitled "An Act to regulate the manner of electing trustees of academies chartered by act of Assembly of the Commonwealth of Pennsylvania."

House Bill No. 369, Entitled "An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State."

House Bill No. 549, Entitled "An Act providing for the fencing of improved lands used for agricultural and horticultural purposes in the counties of Clearfield, Centre and Cameron."

Senate Bill No. 20, Entitled "An Act to amend an act, entitled 'An act to amend clause two of section thirty-one of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four, providing for increased rates of toll upon bridges in certain cases,' approved the sixth day of May, one thousand eight hundred and eighty-seven, by more particularly designating the rates of toll, by providing for increase of tolls when authorized by the court of quarter sessions in certain cases."

Senate Bill No. 113, Entitled "An Act to amend the first section of an act, entitled 'An act relative to the compensation of the directors of the poor and house of employment of Lehigh County,' approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five, defining and fixing the per diem salary of said directors of the poor."

House Bill No. 507, Entitled "An Act to prohibit the catching or taking for sale within the counties of Tioga and Bradford any grouse or pheasant, quail or partridge, woodcock, wild pigeon, speckled trout or

black bass, and also to prohibit absolutely the killing of deer or fawn for a period of three years."

House Bill No. 626, Entitled "An Act securing to mechanics, journeymen and laborers the right to file liens against real estate for the amount of wages due for work or labor done in and about the erection or construction thereof."

Senate Bill No. 120, Entitled "An Act providing that every vessel propelled in whole or in part by steam, shall be deemed a steam vessel within the meaning of this act, and providing for the inspection of the same."

House bill No. 677, Entitled "An Act making an appropriation for the improvement and repairs of the bank and channel of Oil Creek in the county of Crawford, between the bridge on the Meadville road east of Holliday's dam and the mouth of Pine creek, and to improve the sanitary condition of the territory adjacent thereto."

House Bill No. 678, Entitled "An Act making an appropriation for the improvement and repair of the banks and the re-location and deepening of the channel of Little French Creek, in the county of Erie, so far as said creek is located within the limits of the borough of Union City in said county, and providing measures for restoring the sanitary conditions of the borough."

House Bill No. 679, Entitled "An Act making an appropriation for the improvement and repair of the bank and channel of Oil Creek, in the county of Venango, between the bridge on the Western New York and Pennsylvania Railroad bridge and the mouth of Oil Creek, and to improve the sanitary condition of the territory adjacent thereto."

House Bill No. 1033, Entitled "An Act making an appropriation for the construction of a channel for Neeson's Run through the city of Meadville, in the county of Crawford, between the site of the old French Creek Feeder Canal at the point where the said Nee-

son's Run formerly flowed into the same and French Creek, and to improve the sanitary condition of the territory adjacent thereto."

House Bill No. 90, Entitled "An Act to prevent the adulteration of drugs, food and spirituous, fermented or malt liquors in the State of Pennsylvania."

Senate Bill No. 47, Entitled "An Act to repeal an act, entitled 'A supplement to an act to extend the powers of certain officers in Allegheny county, approved the twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-five and for the better regulation of the Sabbath in said county,' approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five."

Senate Bill No. 104, Entitled "An Act to enable city, county, township, ward, school and borough tax collectors to collect taxes for the payment of which they have become personally liable without having collected the same, but by expiration of the authority of their respective warrants, and to extend the time for collection of the same for a period of one year from the passage of this act."

Senate Bill No. 232, Entitled "An Act to amend an act, entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants,' approved thirty-first March, one thousand eight hundred and seventy-six, providing for assistant district attorneys and fixing the salary of the same and increasing the salary of county solicitor, clerk of the courts, recorder of deeds and treasurer, county commissioners, controllers, coroners, county directors of the poor, jury commissioners and county detective, and decreasing the salaries of auditors and county surveyor."

House Bill No. 361, Entitled "An Act to repeal an act, entitled 'An act to prevent the consolidation of competing pipe lines for the transportation of oil or to hold the controlling interest in the stock or bonds of competing pipe lines, or the acquisition or control, either directly or indirectly by purchase or otherwise, and prescribing penalties for the violation thereof,' approved the thirteenth day of June, Anno Domini one thousand eight hundred and eighty-three."

House Bill No. 912, Entitled "An Act to make an appropriation to the Centennial and Memorial Association of Valley Forge."

Senate Bill No. 377, Entitled "An Act to provide for the support of the indigent insane in certain counties or cities of this Commonwealth."

House Bill No. 1032, Entitled "An Act making an appropriation for the purpose of erecting a protection wall and filling the washout caused by the erection of dam number one and abutment thereto of the Beaver division of the Pennsylvania canal at Bridgewater, Pennsylvania."

Senate Bill No. 52, Entitled "An Act relating to street passenger railway companies and to traction and motor power companies, authorizing sales and leases of the franchises and property of the former to the latter, authorizing contracts between such companies for the construction of motors, cables, electric and other apparatus and appliances upon and along the lines of the former, authorizing contracts for the operation of railways by such traction and motor companies by means of such apparatus and appliances, and of all other lawful motive power, and authorizing traction and motor power companies to be lessors and grantors and to become lessees and grantees of property and franchises."

House Bill No. 788, Entitled "An Act making an appropriation to pay the expenses of the Committee on

Elections of the House of Representatives for investigating and preparing reports on contested elections in the counties of Crawford, Lackawanna, Lancaster and Montgomery, during the session of the Legislature of one thousand eight hundred and ninety-three."

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this twenty-ninth day of June, in the year of our Lord, one thousand eight hundred and ninety-three, and of the Commonwealth the one hundred and seventeenth.

ROBT. E. PATTISON.

By the Governor:

William F. Harrity,

Secretary of the Commonwealth.

Filed in the office of the Secretary of the Commonwealth on the twenty-ninth day of June, A. D. 1893.

A. L. Tilden,

Deputy Secretary of the Commonwealth.

Proclamation of the Election of Howard Mutchler as a Representative of Pennsylvania in the United States Congress.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, In and by an act of the General Assembly, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, it

is made the duty of the Governor on receipt of the returns of the election of members of the House of Representatives of the United States by the Secretary of the Commonwealth, to declare by Proclamation the names of persons returned as elected in the respective Districts: And Whereas, By reason of the death of Hon. William Mutchler, who represented the eighth Congressional District composed of the Counties of Northampton, Monroe, Pike and Carbon, in the House of Representatives of the United States a vacancy existed in said District.

And Whereas, A special election for member of the House of Representatives of the United States was held in the said eighth Congressional District, on the Twenty-fifth day of July, 1893, to fill the unexpired term of the said the Honorable William Mutchler. And Whereas, The returns of said special election held on the 25th day of July, A. D. 1893, as aforesaid, for Representative of said District in the House of Representatives of the United States for said unexpired term of the said Honorable William Mutchler, deceased, have been received at the office of the Secretary of the Commonwealth, agreeably to the provisions of the above recited act of the General Assembly, whereby it appears that in the Eighth District, composed of the Counties of Northampton, Monroe, Pike and Carbon, Howard Mutchler has been duly elected.

Now Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, do issue this my Proclamation hereby publishing and declaring that Howard Mutchler has been returned as duly elected in the eighth Congressional District before mentioned, as Representative in the House of Representatives of the United States for the unexpired term of the Hon. William Mutchler, deceased, who was elected for the term of two years, to compute from the fourth day of March, A. D. 1893.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this Second day of August, in the year of our Lord one thousand eight hundred and ninety-three, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor :
A. L. Tilden,
Deputy Secretary of the Commonwealth.

Proclamation Relative to "Pennsylvania Day" at the World's Columbian Exposition.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, By invitation of the government of the United States the nations of all the world are represented in the Columbian Exposition now assembled in the City of Chicago, where has been erected the most magnificent buildings the world has ever seen, in which has been gathered the most notable, beautiful and valuable collection of the Arts of peace that has been known to the history of civilization; and

Whereas, The different States of the Federal Union, represented in a National Association and each through its own commission and Executive officer, have united in friendly rivalry to display the best fruits of their material wealth, their mechanical progress, their natural resources and their moral elevation; and

Whereas, The great Commonwealth of Pennsylvania, second to none in all the elements that make a mighty state, is represented in this magnificent celebration of our country's discovery and its history, by a fit and imposing exhibition of its mines and its mills, its transportation and commercial interests, the products of fields, its forests, its oil wells and its workshops; by the handiwork of its artisans and the creation of its artists; by the splendid showing of its advanced educational institutions and its humane charities, all combining to elevate our citizenship and to ennoble our statehood; and

Whereas, Pennsylvania has contributed tens of thousands to the citizenship of other states, and the sons and daughters of her soil scattered throughout the realm of the Great West and North West, feel a filial and patriotic interest in all that makes for her greatness; and

Whereas, The Board of World's Fair Managers of Pennsylvania has appointed Thursday, September 7th, 1893, as "Pennsylvania Day" at the Columbian Exposition and on the grounds thereof; and the Executive Commissioner for this Commonwealth has received the pledge and hearty assurance of the World's Fair authorities and representatives, that they will co-operate to make the exercises and celebration of that day imposing and significant;

Now, Therefore, I, ROBERT E. PATTISON, Governor of the Commonwealth, do hereby notify and proclaim to all the people that Thursday, September 7th, 1893, will be "Pennsylvania Day" at the Columbian Exposition in Chicago, Illinois; and I invite the citizens of Pennsylvania, and the representatives of all her interests participating in this Exposition, and the officials of all the municipalities and other political subdivisions of the State to join in making this occasion worthy of the commonwealth in whose honor it has

been devised. I recommend and request the people of Pennsylvania to visit the World's Fair at that time, and to assemble at the Pennsylvania State Building to participate in the commemorative exercises. I especially invite the people of other states, formerly citizens of Pennsylvania or kindred with our people in blood, sympathy or interest to join with the residents of our Commonwealth in this celebration; and I invoke for it the interest and hearty co-operation of all who honor the history and rejoice in the prosperity of Pennsylvania.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this fifteenth day of August, in the year of our Lord, one thousand eight hundred and ninety-three, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Proclamation of a Day of Thanksgiving. 1893.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

In grateful acknowledgment to God, the beneficent and the all wise, the tribute of praise and thanksgiving of the people is justly due for the never ceasing stream

and constantly varied bounty of His munificent Providence:

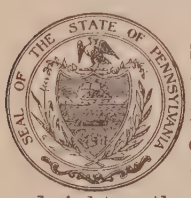
Now, therefore, I, ROBERT E. PATTISON, Governor of the Commonwealth of Pennsylvania, in conformity with the recommendation of the President of the United States, do appoint

Thursday, the Thirtieth day of November,

in the year of our Lord one thousand eight hundred and ninety-three as a day of thanksgiving and prayer.

On that day let all secular business be suspended and let the people assemble in their usual places of worship, and with great reverence and diligent consideration manifest their generous gratitude by prayer and songs of praise for God's benefit towards us as a people and as individuals, for our security against pestilence, for the seedtime and the harvest, for the health which has prevailed within our borders, for the abundant resources of our fruitful land which, through His benediction, will again fill our homes with plenty and contentment.

And let the day be marked by deeds of charity and kind remembrance of the poor.



Given under my hand and the Great Seal of the State, at the City of Harrisburg, this sixth day of November, in the year of our Lord, one thousand eight hundred and ninety-three, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor:

Wm. F. Harrity,

Secretary of the Commonwealth.

Proclamation of the Election of D. Newlin Fell as Judge of the Supreme Court.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, It is provided in and by an act of the General Assembly of this Commonwealth, entitled "An Act to provide for the election of Judges of the several courts of this Commonwealth and to regulate certain Judicial Districts," approved the fifteenth day of April, A. D. 1851, that the Secretary of the Commonwealth shall cause the returns made to him of an election for Judge of the Supreme Court to be opened and the votes cast for the persons voted for to fill said office, to be accurately computed, and that the Governor shall forthwith issue his proclamation declaring the person voted for, for Judge of the Supreme Court, who has received the greatest number of votes, to be duly elected.

And Whereas, The Secretary of the Commonwealth has caused the returns of the late General Election for Judge of the Supreme Court to be opened and the votes cast to be accurately computed, whereupon, it appears that—

D. NEWLIN FELL

received the greatest number of votes of the persons voted for to fill the said office of Judge of the Supreme Court.

Now, Therefore, In conformity with the provisions of the aforesaid act of the General Assembly, I, ROBERT E. PATTISON, Governor of the said Common-

wealth, do issue this my proclamation publishing and declaring that of the persons voted for, for Judge of the Supreme Court of this Commonwealth, at the last General Election, held on Tuesday, the Seventh day of November, A. D. one thousand eight hundred and ninety-three, D. Newlin Fell received the greatest number of votes and therefore is elected Judge of the Supreme Court of this Commonwealth.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this sixteenth day of November, in the year of our Lord one thousand eight hundred and ninety-three, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor:
Wm. F. Harrity,
Secretary of the Commonwealth.

Proclamation of the Cancellation of One Hundred and Six Thousand Four Hundred and One Dollars of the Principal Debt of the Commonwealth Through the Sinking Fund.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, By the third section of an act of the General Assembly of this Commonwealth, entitled "An Act to establish a Sinking Fund for the payment of the

public debt," approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight, and the supplement thereto, approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-eight, it is made the duty of the Secretary of the Commonwealth, Auditor General and State Treasurer, Commissioners of the Sinking Fund, created by the said first recited act of the General Assembly, to report and certify to the Governor, annually, the amount received under the said act, the amount of interest paid and the amount of the debt of the Commonwealth redeemed and held by them; whereupon the Governor shall direct the certificates representing the indebtedness to be cancelled, and on such cancellation issue his proclamation, stating the fact and the extinguishment and final discharge of so much of the principal of said debt; and

Whereas, William F. Harrity, David McM. Gregg and John W. Morrison, Commissioners of the Sinking Fund, in obedience to the requirements of said enactments, report and certify to me that the amount of the debt of the Commonwealth, redeemed and held by them for the financial year ending on the thirtieth day of November, Anno Domini one thousand eight hundred and ninety-three, is one hundred and six thousand four hundred and one dollars, made up as follows:

Relief note, act of May 4th, 1841, redeemed,	$1 00
Four per cent. loan, act of April 1st, 1879, due August 1, 1894, purchased, ...	79,100 00
Five per cent loan, act of March 20th, 1877, reimbursable February 1st, 1892, redeemed, ...	27,300 00
Total, ...	**$106,401 00**

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, in compliance with the provisions of the above recited Act of the General Assembly, do issue this my proclamation, declaring the payment, cancellation, extinguishment and discharge of one hundred and six thousand four hundred and one dollars of the principal of the public debt of this Commonwealth.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this Eleventh day of December, in the year of our Lord one thousand eight hundred and ninety-three, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor:

A. L. Tilden,

Deputy Secretary of the Commonwealth.

Proclamation of the Election of Robert Adams, Jr., as a Representative of Pennsylvania in the United States Congress.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, In and by the forty second section of an act of the General Assembly of this Commonwealth, entitled "An Act relating to the election of this Commonwealth," approved the second day of July, in the

year of our Lord one thousand eight hundred and thirty nine, it is provided that when the returns of any special election for a member of the House of Representative of the United States shall be received by the Secretary of the Commonwealth, the Governor shall declare by proclamation the name of the person elected;

And Whereas, The returns of a special election, held in the Second Congressional District of this Commonwealth, composed of the Eighth, Ninth, Tenth, Thirteenth, Fourteenth and Twentieth wards of the City of Philadelphia, on Tuesday, the nineteenth day of December, in the year of our Lord one thousand eight hundred and ninety three, under the authority of a writ issued in conformity with the provisions of the Constitution of the United States, and the above recited act of the General Assembly of this Commonwealth, have been received by the Secretary of the Commonwealth;

And Whereas, It appears from the said returns that

ROBERT ADAMS, JR.,

was duly elected to serve as a Representative of the people of this Commonwealth in the House of Representatives of the United States to fill the vacancy in the Fifty-third Congress, occasioned by the death of the Honorable Charles O'Neill;

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, do issue this my proclamation, hereby publishing and declaring that the said Robert Adams, Jr., has been duly elected at the special election held in the Second Congressional District above mentioned, as a Representative of the people of this Commonwealth of the House of Representatives of the United States in the Fifty-third Congress, to supply the vacancy caused by the death of the said Honorable Charles O'Neill.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, on the twenty-sixth day of December, in the year of our Lord one thousand eight hundred and ninety-three, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor:
A. L. Tilden,
Deputy Secretary of the Commonwealth.

Proclamation of the Election of Samuel M. Jackson as State Treasurer.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, An act of the General Assembly of this Commonwealth, entitled 'An Act to provide for the receiving, opening and publishing of the returns of the election for State Treasurer and of Auditor General when elected at the same election,' approved the ninth day of May, Anno Domini one thousand eight hundred and seventy-nine, provides that whenever the Legislature shall not be assembled, and a State Treasurer or Auditor General shall have been elected at the preceding annual election, the Governor, the President Judge of the Twelfth judicial district, the President pro tempore of the Senate, the Speaker of the House of Representatives, four members of the Senate and

six members of the House of Representatives shall meet in the Senate Chamber at Harrisburg, at twelve o'clock noon, on the third Tuesday of January succeeding each election of State Treasurer, or Auditor General, and they or a majority of them, being so convened, shall proceed to open, compute and publish the returns of the election for State Treasurer and Auditor General, and shall file in the office of the Secretary of the Commonwealth a certificate, signed by each of them, setting forth the aggregate number of votes received by each person voted for at such election; the Governor shall within ten days thereafter declare by proclamation the name of the person elected to each of said offices.

And Whereas, The persons composing the Commission to open, compute and publish the returns of the late General election for State Treasurer, held on Tuesday, the seventh day of November, Anno Domini one thousand eight hundred and ninety-three, have filed in the office of the Secretary of the Commonwealth the certificate provided for in the above recited act of the General Assembly, showing that

SAMUEL M. JACKSON

received the greatest number of votes of the persons voted for at said election to fill the office of State Treasurer.

Now, Therefore, I, ROBERT E. PATTISON, Governor of said Commonwealth, in conformity with the provisions of the aforesaid act of the General Assembly, do issue this my Proclamation, hereby declaring that Samuel M. Jackson was elected to the office of State Treasurer, at the general election held on the seventh day of November, Anno Domini one thousand eight hundred and ninety-three, he having received the highest number of votes of the persons voted for to fill the said office of State Treasurer at said election.

Given under my hand and the Great Seal of the State, at Harrisburg, this seventeenth day of January, in the year of our Lord one thousand eight hundred and ninety-four, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor:

A. L. Tilden,

Deputy Secretary of the Commonwealth.

Proclamation of the Election of Galusha A. Grow as Representative at Large of Pennsylvania in the United States Congress.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, In and by an act of the General Assembly, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty nine, it is made the duty of the Governor on receipt of the returns of the election of members of the House of Representatives of the United States by the Secretary of the Commonwealth, to declare by Proclamation the names of the persons returned as elected in the respective Districts; and

Whereas, By reason of the death of Honorable William Lilly, who was a member of the House of Representatives of the United States for the State at large, a vacancy existed; and

Whereas, A special election for member of the House of Representatives of the United States for the State at large, was held in the several counties of this Commonwealth, on Tuesday, the twentieth day of February, Anno Domini one thousand eight hundred and ninety-four, to fill the unexpired term of the said Honorable William Lilley, deceased; and

Whereas, The returns of said special election, held on the said twentieth day of February, Anno Domini one thousand eight hundred and ninety-four, as aforesaid, for Representative-at-Large in the House of Representatives of the United States, for said unexpired term of the said Honorable William Lilly, deceased, have been received at the office of the Secretary of the Commonwealth, agreeably to the provisions of the above recited act of the General Assembly, whereby it appears that GALUSHA A. GROW has been duly elected Representative-at-Large in Congress.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, do issue this my Proclamation, hereby publishing and declaring that Galusha A. Grow has been returned as duly elected a elected Representative-at-Large in Congress.
tives of the United States for the unexpired term of Honorable William Lilly, deceased, who was elected for the full term of two years, to compute from the fourth day of March, Anno Domini one thousand eight hundred and ninety-three.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this First day of March, in the year of our Lord one thousand eight hundred and ninety-four, and of the Commonwealth the one hundred and eighteenth.

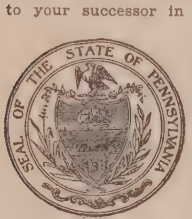
ROBT. E. PATTISON.

By the Governor:
Wm. F. Harrity,
Secretary of the Commonwealth.

DOCUMENT RELATING TO THE PROCLAMATION.

IN THE NAME AND BY THE AUTHORITY of the Commonwealth of Pennsylvania. Executive Department.

To Newton W. Stoner, Esquire, High Sheriff of the County of Adams, or to your successor in office, Greeting:



Whereas, In consequence of the death of the Honorable William Lilly, who was Congressman-at-Large in the Fifty-third Congress, a vacancy exists in the representation of this State in the House of Representatives of the Congress of the United States;

Now, therefore, I, Robert E. Pattison, Governor of the said Commonwealth, in pursuance of the provisions of the Constitution of the United States and of an Act of the General Assembly of this Commonwealth, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, have issued this writ commanding the Sheriffs of the several counties of this Commonwealth to hold an election in their respective counties on Tuesday, the Twentieth Day of February, in the year of our Lord one thousand eight hundred and ninety-four, for the election of a Representative of the people of this Commonwealth, in the House of Representatives of the Congress of the United States, to fill the vacancy as aforesaid; and you are hereby required and enjoined to give lawful notice of the said election and to cause the same to be held and conducted, and to make return thereof in manner and form as by law is directed and required.

Given under my hand and the Great Seal of the State, at Harrisburg, this eleventh day of December, in the year of our Lord one thousand eight hundred and ninety-three and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor.
A. L. Tilden,
Deputy Secretary of the Commonwealth.

NOTE.—A similar writ was issued to the Sheriff of each of the other counties of the State.

Arbor Day Proclamation. 1894.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania.

A PROCLAMATION.

The beneficent results attending the proper observance of "Arbor Day" in Pennsylvania, have been apparent to the most casual observer. Much has been done in the way of ornamentation of our yards, gardens, public streets and parks, but much still remains to be done. The oft repeated calls for a more general and active observance of the day have not been met with that general response so earnestly desired. The destruction of our timber lands continues with increased vigor, and unless public opinion is awakened to the dangers that confront us, the wood lands of the State will remain only in memory.

The rapid disappearance of our native forests, the constant and indiscriminate destruction of the woodlands, the influence of forests in their relation to floods and droughts, to climate and atmosphere, to health and comfort, to pleasure and entertainment, to occupation and profit—all combine to make "Arbor Day" one deserving of the support and encouragement of every citizen having at heart the future welfare of the State. Aside from all philanthropic motives, self preservation and a selfish concern for the health and comfort of ourselves and those closely dependent upon us demand that some consideration be given to this important question.

Attention is called to the provisions of an act of our General Assembly, approved May 23rd, 1893 (Pamphlet Laws, 1893, page 115), by virtue of which a Forestry Commission is now in existence in our State and is earnestly engaged in the performance of its duties.

From its report to the next Legislature much valuable information on this important subject is expected. But legislation will be worse than vain unless it is brought about and supplemented by an educated and progressive public opinion.

Now, therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, in accordance with custom, which has received the official sanction of our General Assembly, whereby the Governor is requested to appoint, annually, a day to be designated as "Arbor Day" in Pennsylvania, and to recommend by proclamation to the people on the days named, the planting of trees, shrubbery in the public school grounds and along the public highways throughout the State, do hereby designate and proclaim Friday the 13th day of April, and Friday the 27th day of April, A. D. 1894, to be observed as Arbor Days in Pennsylvania.

The selection of either of the above designated days is left to the discretion of the people in the various sections of the Commonwealth, each locality observing that day which is deemed to be most favorable on account of climatic conditions.

Let the people lay aside for a season the habitual activities of the day, and devote sufficient time thereof to plant a forest, fruit, or ornamental tree, along the public highways and streams, in private and public parks, about public school houses, around the places of public worship, and on the college grounds, in gardens, and on the farms, thus promoting the pleasure, profit, and prosperity of the people of the State, providing against floods and storms, securing health and comfort, increasing that which is beautiful and pleasing to the eye, comforting to physical life and elevating to the mind and heart; and by associations and meetings, excite public interest and give encouragement to this most commendable work.

Given under my hand and the Great Seal of the State, at Harrisburg, this Nineteenth day of March, in the year of our Lord one thousand eight hundred and ninety-four, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Proclamation Relative to Certain Riotous Demonstrations in Fayette County.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, It has been represented to me by the proper authorities of Fayette county that riotous demonstrations exist in various sections of said county, whereby the lives and property, peace and safety of the people are threatened, which the civil authorities are unable to suppress.

And Whereas, The Constitution and Laws of this Commonwealth authorize the Governor, whenever, in his judgment, the same may be necessary, to employ the militia to suppress domestic violence and preserve the peace.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, do hereby admonish all good citizens, and all persons within the territory and under the jurisdiction of the Commonwealth,

against aiding or abetting such unlawful proceedings, and I do hereby command all persons engaged in the said riotous demonstrations, to forthwith disperse and retire peaceably to their respective places of abode, warning them that a persistence in violence will compel resort to such military force as may be necessary to enforce obedience to the laws.

Given under my hand and the Great Seal of the State, at Harrisburg, this thirtieth day of May, in the year of our Lord one thousand eight hundred and ninety-four, and of the Commonwealth the one hundred and eighteenth.

ROBT. E. PATTISON.

By the Governor:

A. L. Tilden,

Deputy Secretary of the Commonwealth.

DOCUMENTS RELATING TO THE PROCLAMATION.

William H. Wilhelm, Sheriff of Fayette County.

Uniontown, Pa., May 28, 1894.

Honorable Robert E. Pattison, Governor, Harrisburg, Pa.:

Dear Sir: For the past eight weeks there has been an extensive strike in the coal and coke regions of this County. There are probably fifteen thousand idle men. Large bodies of strikers, in some instances two thousand in number, have marched from plant to plant and forced or frightened men from work. There have been numerous riots and tumults. April 4th, J. H. Paddock, chief engineer of the H. C. Frick Coke Company, was clubbed to death at the Davidson Works.

The same day a striker was killed May 4th, at an encounter between my deputies and the strikers at the Painter Works, Sanford White, engineer, and Ewing Roddy, book-keeper, were badly beaten, the former almost to death. In the same encounter several other employes were beaten and injured, and a number of the strikers hurt. Last Thursday a mob of fifteen hundred strikers, many of them armed with guns, pistols and clubs, attacked my deputies at the Washington Coal Mines, attempting to drive them from the property they were guarding, and in the encounter four persons were killed outright, and a dozen or more wounded, some of them fatally. At Kyle Works on the same day my deputies were resisted. Yesterday at the same plant the strikers fired with Winchester rifles into the building where my deputies were stationed, but the fire was not returned. In a struggle at Moyer last night, George B. Keffer, one of my deputies, was shot, probably fatally. Large bodies of strikers have camped near the mines at Stickel Hollow, Jimtown, Moyer, Kyle, Valley and Hill Farm and threaten to drive the men from work. I have armed deputies stationed at all these points to protect property and workmen, but fear serious results might follow a conflict with the strikers. Owing to the large numbers and threatening and dangerous character of the mobs and the intense feeling that prevails, it is ex-

tremely difficult to secure posses equal to the emergencies. While my deputies have not yet been overpowered, yet it has only been by having a large force heavily armed that I have been able to execute the law and preserve the peace; and in my encounter with the strikers there has been bloodshed and loss of life. Considering all the circumstances, I regard the situation as critical; and as an emergency may at any moment arise which will make it necessary to call for the aid of the State troops, I communicate to you these facts that you may in some degree understand the situation and the necessity for prompt action.

Very respectfully yours,

WILLIAM H. WILHELM,
Sheriff of Fayette County.

COPY OF TELEGRAM.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, May 30th, 1894.

William H. Wilhelm, Sheriff of Fayette County, Uniontown, Pa.:

Your communication relative to disturbances in your county, has been received. I have issued the following Proclamation, which print and post conspicuously throughout the sections of your county affected

Communicate to me details as to any further disturbances.

ROBT. E. PATTISON.

Proclamation Relative to Certain Riotous Demonstrations in Jefferson County.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania.

A PROCLAMATION.

Whereas, It has been represented to me by the proper authority of Jefferson county that riotous demonstrations exist in various sections of said county, whereby the lives and property, peace and safety of the people are threatened, which the civil authorities are unable to suppress;

And Whereas, The Constitution and laws of this Commonwealth authorize the Governor, whenever, in his judgment, the same may be necessary, to employ

the militia to suppress domestic violence and preserve the peace;

Now, Therefore, I, ROBERT E. PATTISON, Governor of the said Commonwealth, do hereby admonish all good citizens and all persons within the territory and under the jurisdiction of the Commonwealth, against aiding or abetting such unlawful proceedings, and I do hereby command all persons engaged in said riotous demonstrations to forthwith disperse and retire peaceably to their respective places of abode, warning them that a persistence in violence will compel resort to such military force as may be necessary to enforce obedience to the laws.

Given under my hand and the Great Seal of the State, at Harrisburg, this eleventh day of June, in the year of our Lord one thousand eight hundred and ninety-four, and of the Commonwealth the one hundred and eighteenth

ROBT. E. PATTISON.

By the Governor:
William F. Harrity,
Secretary of the Commonwealth.

Proclamation of the Death of Honorable Andrew Gregg Curtin, "The War Governor" of the Commonwealth.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

It is with profound sorrow that I announce to the citizens of this Commonwealth the death of

ANDREW GREGG CURTIN,

which occurred at his home in Bellefonte, at five o'clock A. M., this seventh day of October, A. D. 1894.

His death leaves surviving but a single one of my predecessors in the Executive Office of Pennsylvania. He was one of the most distinguished in that long line of illustrious men. Dying at the age of four score years, until lately, his eye was not dim nor his natural force abated, and few, if any, of the citizens of our State, ever maintained so lasting a hold upon the affections of its people.

Native of Pennsylvania, he sprang from a race of hardy men who left their impress upon its citizenship, and who had been alike conspicuous in public affairs and in the development of the material interests of the Commonwealth. For more than half a century he was a member of the learned profession of the law, and though at times his towering prominence in politics overshadowed his fame as an advocate, his legal training, during his entire public career, was of inestimable advantage to himself and benefit to the State. Conspicuous as the possible candidate of his party for Governor as early as 1854, he was appointed Secretary of State to Governor Pollock, and with the exercise of the ordinary duties of that office he combined the direction and management of the public school system of the State, then in a somewhat formative condition, and which gained great impulse toward its future usefulness from his wise counsel.

He was a most potent factor in determining the political conditions of the country during the period of the beginning and prosecution of the War for the Union, and for six years he discharged the duties of the office of Governor, to which he had been elected and re-elected, in a manner that won for him, above all his contemporaries, the title of "The War Governor." He was conspicuously helpful to the Federal Government

and President Lincoln, and, while always jealous of the honor and regardful of the dignity of his own Commonwealth, he aided largely to make the part of Pennsylvania in the great struggle second to that of no other state in the Union. He was active in raising and equipping troops, and the splendid organization of the Pennsylvania Reserves was owing to his exertions. He was indefatigable in his ministrations for the comfort of Pennsylvania's soldiers in the field, on the march, in the camp, or in the hospital. No personal service in this behalf was too exacting for him to render, and again and again his presence inspired our soldiery, and his sympathy cheered the wives and children of the absent and the widows and orphans of those who never returned. To him, above all others, the State is indebted for the establishment of the Soldiers' Orphans' Schools, and the country owes to him the splendid example of Pennsylvania's care for the children of her soldier dead.

He and his native State were honored by his appointment as Minister Plenipotentiary to one of the great powers of Europe, and he was eminently successful in establishing and maintaining the most cordial relations of Russia's great empire with our Republic.

He sat an honored member in the Constitutional Convention which framed our present fundamental law.

He represented with distinction one of the principal Congressional Districts of our State in the House of Representatives of the United States, and when he retired to private life he was followed with the affectionate regard of the people of all parties and of every section of the Commonwealth of which he had been a faithful public representative.

His presence in every popular assembly, and especially on the occasion of military re-unions, was always

the occasion for veneration of his imposing and genial personality.

His funeral will take place at Bellefonte, Centre county, Pennsylvania, on Wednesday, October 10th inst., at 2 o'clock P. M.

In honor of his memory, and in recognition of his eminent public services, I invoke for his bereaved family the sympathy of the people of Pennsylvania, and I recommend and order that on the day of his funeral the flags upon the public buildings be displayed at half-staff, and that the several Departments of the State Government within Executive control, be closed upon that day.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this seventh day of October, in the year of our Lord one thousand eight hundred and ninety-four, and of the Commonwealth the one hundred and nineteenth.

ROBT. E. PATTISON.

By the Governor:

A. L. Tilden,

Deputy Secretary of the Commonwealth.

Proclamation of a Day of Thanksgiving. 1894.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

In grateful remembrance of the Supreme Lord of the Universe, who is the dispenser of life, health and hap-

piness to individuals and nations, whose infinite compassion and goodness has been manifested during the year that has passed, by multiplied benedictions, and whom we pray, of His infinite mercy, to vouchsafe His blessing in times to come.

Now, Therefore, I, ROBERT E. PATTISON, Governor of the Commonwealth of Pennsylvania, in conformity with the recommendation of the President of the United States and the uniform custom of our christian communities, do recommend

Thursday, the Twenty-ninth Day of November,

in the year of our Lord one thousand eight hundred and ninety-four, as a day of thanksgiving and prayer.

On that day let all secular business be suspended, and let the people assemble in their usual places of worship and, with prayer and songs of praise, devoutly testify their gratitude for His goodness and His wonderful works, and so make known that we forget not all His benefits.

And let there also be on this day, thus set apart, a re-union of families and friends, that the love for home may be strengthened and the spirit of good will increased. Let us not forget to crown the day with deeds of charity and kind remembrance of the poor, bearing in mind that "blessed is he that considereth the poor."

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this third day of November, in the year of our Lord one thousand eight hundred and ninety-four, and of the Commonwealth the one hundred and nineteenth.

ROBT. E. PATTISON.

By the Governor:

Wm. F. Harrity,

Secretary of the Commonwealth.

Proclamation of the Election of Representatives of Pennsylvania in the United States Congress. 1894.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, In and by an Act of the General Assembly, entitled "An act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, it is made the duty of the Governor on receipt of the returns of the election of members of the House of Representatives of the United States by the Secretary of the Commonwealth, to declare by Proclamation the names of the persons returned as elected in the respective Districts; And Whereas, The returns of the General election held on Tuesday, the sixth day of November, A. D. 1894, for Representatives of the people of this State in the House of Representatives of the United States for the term of two years from the fourth day of March next, have been received at the office of the Secretary of the Commonwealth, agreeably to the provisions of the above recited act of the General Assembly, whereby it appears that

In the First District, composed of the 1st, 7th, 26th, 30th and 36th wards of the City of Philadelphia, Henry H. Bingham has been duly elected.

In the Second District, composed of the 8th, 9th, 10th, 13th, 14th and 20th wards of the City of Philadelphia, Robert Adams, Jr., has been duly elected.

In the Third District, composed of the 3rd, 4th, 5th, 6th, 11th, 12th, 16th and 17th wards of the City of

Philadelphia, Frederick Halterman has been duly elected.

In the Fourth District, composed of the 15th, 21st, 24th, 27th, 28th, 29th, 32nd, 34th and 37th wards of the city of Philadelphia, John E. Reyburn, has been duly elected.

In the Fifth District, composed of the 18th, 19th, 22nd, 23rd, 25th, 31st, 33rd and 35th wards of the City of Philadelphia, Alfred C. Harmer has been duly elected.

In the Sixth District, composed of the Counties of Chester and Delaware, John B. Robinson has been duly elected.

In the Seventh District, composed of the Counties of Montgomery and Bucks, Irving P. Wanger, has been duly elected.

In the Eighth District, composed of the counties of Northampton, Monroe, Pike and Carbon, Joseph J. Hart has been duly elected.

In the Ninth District, composed of the Counties of Berks and Lehigh, Constantine J. Erdman, has been duly elected.

In the Tenth District, composed of the County of Lancaster, Marriott Brosius has been duly elected.

In the Eleventh District, composed of the County of Lackawanna, Joseph A. Scranton has been duly elected.

In the Twelfth District, composed of the County of Luzerne, John Leisenring has been duly elected.

In the Thirteenth District, composed of the County of Schuylkill Charles N. Brumm has been duly elected.

In the Fourteenth District, composed of the Counties of Dauphin, Lebanon and Perry, Ephraim M. Woomer has been duly elected.

In the Fifteenth District, composed of the Counties of Bradford, Susquehanna, Wayne and Wyoming, Myron B. Wright has been duly elected.

In the Sixteenth District, composed of the counties of Tioga, Potter, Lycoming and Clinton, Fred. C. Leonard has been duly elected.

In the Seventeenth District composed of the counties of Northumberland, Columbia, Montour and Sullivan, Monroe H. Kulp has been duly elected.

In the Eighteenth District, composed of the Counties of Franklin, Fulton, Huntingdon, Mifflin, Juniata, Snyder and Union, Thaddeus M. Mahon has been duly elected.

In the Nineteenth District, composed of the Counties of Cumberland, Adams and York, James A. Stahle has been duly elected.

In the Twentieth District, composed of the Counties of Cambira, Blair, Somerset and Bedford, Josiah D. Hicks has been duly elected.

In the Twenty-first District, composed of the Counties of Westmoreland, Armstrong, Indiana and Jefferson, Daniel Brodhead Heiner has been duly elected.

In the Twenty-second District, composed of the City of Pittsburgh and Townships and boroughs lying between the Monongahela and Allegheny rivers, except the city of McKeesport and the Boroughs and Townships lying between the Youghiogheny and Monongahela rivers in the County of Allegheny, John Dalzell has been duly elected.

In the Twenty-third District, composed of the City of Allegheny, and Townships and Boroughs lying North of the Allegheny and Ohio rivers, in the County of Allegheny, William A. Stone has been duly elected.

In the Twenty-fourth District, composed of the Counties of Fayette, Greene and Washington, and all boroughs and townships lying South of the Monongahela and Ohio rivers, and Boroughs and Townships lying between the Youghiogheny and Monongahela rivers, and the city of McKeesport, in the County of Allegheny, Ernest F. Acheson has been duly elected.

In the Twenty-fifth District, composed of the Counties of Beaver, Lawrence, Mercer and Butler, **Thomas W. Phillips, has been duly elected.**

In the Twenty-sixth District, composed of the Counties of Crawford and Erie, **Matthew Griswold has been duly elected.**

In the Twenty-seventh District, composed of the Counties of Venango, Warren, McKean and Cameron, **Charles W. Stone has been duly elected.**

In the Twenty-eighth District, composed of the Counties of Clarion, Forest, Elk, Clearfield and Centre, **William C. Arnold has been duly elected.**

For the State at Large, **Galusha A. Grow and George F. Huff have been duly elected.**

Now, Therefore, I, ROBERT E. PATTISON, Governor of said Commonwealth, do issue this my proclamation, hereby publishing and declaring that Henry H. Bingham, Robert Adams, Jr., Frederick Halterman, John E. Reyburn, Alfred E. Harmer, John B. Robinson, Irving P. Wanger, Joseph J. Hart, Constantine J. Erdman, Marriott Brosius, Joseph A. Scranton, John Leisenring, Charles N. Bruman, Ephraim M. Woomer, Myron B. Wright, Fred. C. Leonard, Monroe H. Kulp, Thaddeus M. Mahon, James A. Stahle, Josiah D. Hicks, Daniel Brodhead Heiner, John Dalzell, William A. Stone, Ernest F. Acheson, Thomas W. Phillips, Matthew Griswold, Charles W. Stone, William C. Arnold, Galusha A. Grow and George F. Huff, have been returned and duly elected in the several districts and for the State at Large, before mentioned, as Representatives of the people of this State in the House of Representatives of the United States for the term of two years from the fourth day of March next.

Given under my hand and the Great Seal of the State, at Harrisburg, this thirtieth day of November, in the year of our Lord one thousand eight hundred and ninety-four, and of the Commonwealth the one hundred and nineteenth.

ROBT. E. PATTISON.

By the Governor:
Wm. F. Harrity,
Secretary of the Commonwealth.

Biennial Message to the Assembly. 1895.

Executive Department,
Commonwealth of Pennsylvania,
Office of the Governor,
Harrisburg, January 1, 1895.

Gentlemen:—

AT THE CONCLUSION OF MY SECOND TERM in the office of chief executive of this State, I embrace with satisfaction the opportunity afforded to me by the Constitution of giving to the General Assembly "information of the state of the Commonwealth," and of recommending to their consideration such measures as I "may judge expedient." A general review of the condition of the moral and material interests of the Commonwealth and of its progress during the two years which have intervened since your last assembling is attended with feelings of satisfaction that our fellow citizens have not been without prosperity and manifold blessings. Despite some depression in business and in the operation of our commercial and manufacturing industries, there have been

steady advancement and abundant occasion for thanksgiving to a beneficent Providence. Our population has increased in numbers; the great estates of religion and and education have grown and strengthened; the people of the Commonwealth have been visited by no special scourge nor overwhelming calamity; charity and benevolence have been unbated; our fields have yielded bountiful harvests, and there has been measurable, if not entire, recovery in our great industrial establishments of their wonted activity and of profitable return to investment.

The special reports of the many and varied departments of official activity of our system of State Government, of the different boards and commissions engaged in carrying out its work and invested with the responsibility of expending its appropriations, have been prepared with care and will furnish to you much valuable information. I commend them to your earnest consideration, and I will, in this communication, only summarize their main features, hoping thus to direct attention to the necessity of their careful examination by those who would legislate for the best interests of their constituents and for the permanent good of the Commonwealth.

I am glad to again assure the people of the State that the financial credit of their government is of the very highest order; its revenues are ample and, compared with the necessary expenses of economical government, they are redundant; the current balance in the general fund is very large, and the small amount of State debt yet remaining is amply provided for by the sinking fund laws. It will be only a few years until the last dollar of that debt is extinguished, and even at the prevailing rate of State taxation the revenues will

easily admit of a continuance of the generous appropriations for State education which have been recently made. But it is to be remembered that during the past few years $1,700,000 direct tax was refunded by the general government, and large collections of back taxes from delinquents were made. There is nothing, therefore, in the situation to justify wasteful expenditure of reckless legislation.

The amount of the State debt bearing interest and non-interest bearing on November 30, 1894, and the assets of the sinking fund available to meet it, were as follows:

NON-INTEREST BEARING DEBT AND LOANS UPON WHICH INTEREST HAS CEASED:

Relief notes, Act May 4, 1841,	$96,136 00	
Interest certificates and domestic creditor,	17,660 58	
Four per cent. bonds upon which interest has ceased,	3,800 00	
Five per cent. bonds upon which interest has ceased,	18,914 70	
Six per cent. bonds upon which interest has ceased,	2,000 00	
		$138,511 28

INTEREST BEARING DEBT:

Three and one-half per cent. bonds, due 1912,	$1,642,900 00	
Four per cent. bonds, due 1912,	4,521,250 00	
Agricultural College 6 per cent. bonds,	500,000 00	
Six per cent. proceeds of sale of experimental farms,	17,000 00	
		6,681,150 00
		$6,819,661 28

ASSETS OF THE SINKING FUND:

Bonds of the Allegheny Valley Railroad Company,	$1,500,000 00

Interest due on above November 30, 1894,	31,250 00	
United States 4 per cent. bonds, $2,775,000, at 114½,	3,177,375 00	
Cash on hand,	66,383 53	
		4,775,008 53
Net debt,		$2,044,652 75

For the year ending November 30, 1893, the revenues of the government were as follows;

Tax on corporations, $5,911,248.38; tax on personal property, $3,502,476.39; tax on writs, $165,285.95; tax on collateral inheritances, $1,124,365.57; licenses of all kinds, $1,362,884.62; United States government (which includes proceeds from sale of bonds, interest on United States consols, war claims and maintenance of Soldiers' and Sailors' Home, Erie), $145,711.16; Allegheny Valley Railroad Company, $182,500; fees of public officers, $143,026.73; miscellaneous, $715,229.09; total receipts, $13,252,727.89, which, with balance of $6,000,644.95 on hand November 30, 1893, aggregated $19,253,372.84.

The expenditures of the Commonwealth for the year ending November 30, 1893, were as follows:

Expenses of government, $2,190,555.84; charitable and penal institutions, $1,961,010.05; Pennsylvania State College, $55,632.15; common schools, 4,865,807.10; State tax on personal property returned to counties, $3,018,640.69; voting booths and compartments, $82,657.46; Soldiers' Orphans' schools and Soldiers' and Sailors' Home, Erie, $156,005.62; National Guard, $496,831.55; suppression of disturbances at Homestead, $64,985.85; loans redeemed, purchased and interest on same, $108,217.81; interest on public debt, $330,221.50; miscellaneous, $92,499.15; total payments, $13,423,064.77, leaving balance of $5,830,308.07 on hand November 30, 1893.

The revenues for the year ending November 30, 1894, were as follows:

Tax on corporations, $6,663,634.96; tax on personal property, $2,386,750.99; tax on writs, $162,960.07; tax on collateral inheritances, $868,832.85; licenses of all kinds, $1,366,398.06; United States Government (which includes proceeds from sale of bonds, interest on United States consols, war claims and maintenance of Soldiers' and Sailors' Home, Erie), $399,071.55; Allegheny Valley Railroad Company, $177,500; fees of public officers, $157,535.91; miscellaneous, $691,102.43; total receipts, $12,873,786.82, aggregating, with balance on hand of $5,830,308.07 at beginning of fiscal year, $18,704,094.89.

The expenditures for the year ending November 30, 1894, were as follows:

Expenses of government, $2,038,544.29; charitable and penal institutions, $2,048,808.18; Pennsylvania State College, $58,390.21; common schools, $5,769,147.27; State tax on personal property returned to counties, $1,050,147.81; voting booths and compartments, $498.87; Soldiers' Orphan Schools and Soldiers' and Sailors' Home, Erie, $334,953.70; National Guard, $412,901.69; loans redeemed, purchased and interest on same, $1,468,400; interest on public debt, miscellaneous, $112,737.66; total payments, $13,622,769.18, leaving balance on hand, $5,081,325.71, November 30, 1894.

The enactment by the last General Assembly of laws to increase the tax on personal property, and particularly on property represented by corporate investment, has not by any means fully or fairly satisfied the demand for greater equality in our tax laws. It has long been a matter of complete demonstration that, notwithstanding our theory of taxation according to

property value, certain kinds of property are loaded with far more than their just share of taxation, while certain other kinds escape with very much less. The real estate of the Commonwealth's citizens, whether in the form of urban or agricultural lands, is subjected to all forms of local taxation, county, State, township, road and school tax. The claim that land is relieved from liability to State taxation is a specious one, the transparent nature of which has long been recognized. There is vast advantage to personal property in its liability to State taxation, while it escapes the much more grevious and onerous burden of local taxation. It is everywhere conceded that, besides the bonus paid for letters patent, artificial persons erected by the law, and known to it as corporations, should pay annually for their extraordinary privileges of limited liability and perpetual succession, a special tax to the Commonwealth. This, I recommend, should be laid in the form of a special franchise tax, to be measured by the amount and value of their capital, but it is distinctly understood to be a franchise tax as distinguished from a property tax. In addition to this—if it be deemed impracticable to subject to local taxation their property used for general corporation purposes, such as lines of railroad, canal, telegraph or telephone extending across the State—there ought to be, in all fairness, laid upon them a rate of taxation in some degree commensurate with the amount of local tax that property of like character, belonging to individuals, has to pay. For illustration, it is wholly unfair that a railroad freight station or warehouse, used for corporation purposes and located in a great city, should pay to the Commonwealth and for all public purposes at the rate of five mills on so much of the corporate capital as is represented by its value, while a corresponding property, side by side with it, used for like individual purposes, and enjoying no more public protection, State or

municipal, should be compelled to pay twenty mills in the aggregate of local taxation. Again, the holder of mortgage or judgment, who pays four mills personal property tax enjoys the advantages of a most marked inequality of taxation by contrast with the owner of real estate which is held a lien—which real estate is subject, in many cases, to local taxation ranging from fifteen to twenty-five mills. I am constrained to believe that this subject has not yet received the earnest attention which it deserves from the Legislature of our State, and that private and selfish interests have obstructed the fair consideration of a question which appeals to every proper sense of public and private justice.

I am entirely in sympathy with the recommendation of the Auditor General and the Attorney General, who, speaking from extended observation of the neglect to pay and the difficulty of enforcing obligations due the State, urge that such change be made in the law providing for a bonus to be paid upon letters patent as shall require the payment of the entire bonus before the letters of incorporation issue, instead of dividing it into two instalments, as at present.

The redundant revenues of the State, frequently inviting ill-advised appropriations and wasteful expenditures, confirm my previous observations that the entire legitimate cost of the State government can be paid by taxation upon corporations and collateral inheritances and the tax and fees of county officers, and, therefore, not only the taxes upon other forms of personal property, but all license moneys, mercantile taxes, etc., should be returned to the counties, measurably to relieve their real estate from its present burdens.

I do not recommend, and I am entirely opposed to, the repeal of the mercantile taxes upon merchants, billiard tables, brokers, etc. These are proper subjects for taxation, and the present rates are exceedingly

light; but the machinery for collection is clumsy and utterly without merit. It is devised to create a wholly unnecessary class of office holders and to waste the public moneys by injudicious and unnecessary advertising. Both of these elements invite official abuses, if not corruption. The entire system should be reconstructed so as to place the assessment and collection of these taxes within the control of the local authorities and to divert these revenues into the treasuries of the several counties and municipalities of the State. Every member of your honorable bodies would serve his constituency well by promoting such legislation.

I renew the suggestion of my biennial message of 1893 (p. 6) that some simpler method of levying and collecting the State taxes should be established. It has been demonstrated that the entire ordinary expenses of the State government can be met by the collateral inheritance tax, the tax on writs, county officers' fees and a reasonable tax levy on the gross receipts, franchises and capital stock of the corporations. The total paid-in corporate capital of the State is about $1,250,000,000—its value is ascertainable. The annual expenditures of the State government can be approximated, and a certain tax rate will produce sufficient revenue to meet them. Any increase of expenditures due to wasteful or extravagant appropriations would require an increase of tax. The objects of taxation would be sensitive to this and would be quick to fix the responsibility for it. The operations of such a system as I have hertofore pointed out would be simple and effective. "It would not be necessary to amend the revenue laws every time it was found the receipts were not sufficient, nor would there be danger of a surplus when a revenue bill yielded more than was necessary or anticipated. The Legislature, through the fiscal and auditing officers, could adapt the expenditures of the government to the financial condi-

tion as reported by them. The millage having been determined, the Auditor General would furnish to the taxpayer a bill, stating the value of its paid in capital and the application of the rest of the millage applied to it; the amount of the tax could be readily calculated. The transaction would require simply an exchange of bill and receipt. Discounts might be allowed for prompt payment and penalties be imposed for delinquency. Claims against the defaulting taxpayers could be readily certified to the Attorney General and collection enforced through his department. The adoption of some such system, I fully believe, would relieve us of much of the confusion now existing with reference to our revenue laws. Nor would it materially add to the burdens upon the corporations in the form of State tax, especially in view of the constant increase in their number and in the enormous amount of capital represented in this form of investment. * * * * * * Other forms of property would be left to the several counties for the purpose of equalizing their taxation. Local authorities are more able to ascertain the whereabouts of personal property than the State authorities, and to bring about the long-desired equalization of taxation upon real and personal property equitably based upon actual values. Such a system would also do away with the present method of having the counties collect the State tax, pay the same over to the State Treasurer and the State Treasurer pay most of it back to the county treasurers. This method is extremely objectionable, and the many handlings of the money must necessarily be wasteful."

Under existing tax laws all manufacturing corporations in this Commonwealth, however profitable their operations, are exempt from corporation tax. At least one hundred million dollars' worth of property thus escapes taxation. The practical operation of this principal has been extended to gas companies, and it is now

being contended in the courts that even electric light companies are subject to the exemption. In some instances the conditions still exist which rendered it advisable for our State to thus invite the investment of capital upon its soil, but I respectfully submit that when a manufacturing industry is enabled to earn a fair profit on its investment, it should be liable to the same taxation which mining, agricultural and commercial ventures are obliged to pay. Corporate enterprises, like gas and electric light, heat and power companies, ought certainly to bear their fair shares of the burden of State taxation. No considerations upon which transportation and like companies are subject to taxation operate to fairly exempt the electric light and gas companies. They are ordinarily not only entered into for profit, but they are, in practical operation, profitable to their investors. I recommend, therefore, that gas and electric companies be specifically restored to the class of corporations liable to State tax.

The collateral inheritance tax is a profitable source of revenue to the Commonwealth. The increasing value of individual estates, rigorous instructions from the Auditor General's office and closer collections by the registers of the various counties have resulted in an increase in the volume of this tax. Its propriety, as a means of revenue to the Commonwealth is very generally approved and the number of states which have imitated our own in imposing it is steadily increasing. Experience shows that, once adopted, it is never abandoned. It is well to consider, however, whether charitable institutions, to which bequests are made, might not be relieved from its payment. There are many most estimable charities of a semi-public nature, with

no discriminations of creed, denomination or color in their beneficence, which are debarred by wise constitutional provisions from receiving directly any appropriation from the State. From legacies and bequests to these institutions five per cent. is now deducted for collateral inheritance tax. In the case of collateral relatives or private individuals receiving bequests as inheritances from those not of their own immediate family there is no hardship in exacting this tax. I recommend that in cases of public charities, churches, hospitals, educational institutions and the like, an exemption from the collateral inheritance tax be allowed.

In this connection I desire also to call the attention of the Legislature to some survivals of ancient and ill-considered legislation, which renders invalid bequests and charities made within thirty days of the death of the testator, or by will to which there have not been two subscribing witnesses. The effect of this is that persons dying testate may, within thirty days of the date of their death, or by a will proved by attesting and not subscribing witnesses, confer their bounty on the most undeserving objects; but if they see fit to bestow it upon charitable agencies of the highest character, their wishes are set at naught and their bequests are rendered invalid. A prompt correction of the existing laws in this respect would be most salutary and commendable.

I call to your special attention, with much gratification, the report of the present faithful and highly efficient Auditor General. It shows extraordinary collections of and increase in the amount of fees belonging to the Commonwealth from the county officers of the State, the total of 1893, from this source being double that of 1892, and ten times as much as was collected in

1891. If the Commonwealth succeeds in its contention now in court, that the officers of the counties having over 150 000 inhabitants are required also to pay half of their excess into the State Treasury, the revenues from this source will be largely increased. The more vigilant collection of the collateral inheritance tax has also resulted in a decided increase of the revenues from this source. The collection by the auditing and law departments of the Commonwealth of large amounts of unpaid corporation bonuses has also swelled the revenues, and has demonstrated the wisdom of the Auditor General's recommendation that the bonus on letters patent should be paid in one instalment, as the charters are granted. The slight falling off in the revenues of the State from 1893 to 1894 is more than accounted for by the extraordinary collections in the former year of the personal property taxes and other claims against the city of Philadelphia.

I especially commend to your consideration and prompt legislative action the recommendations of the Auditor General as to a clearer definition of the proper basis for determining for tax purposes the value of corporate capital stock, for the careful limitation upon all appropriations, that they shall be diverted to no other purposes than those for which they were intended, and that neither the public charities nor any other objects of the State's bounty shall be allowed to accumulate undue amounts of public moneys to lie idle in their treasuries or to tempt private speculation.

I am also in cordial sympathy with the recommendations of the Auditor General for legislation that will make more liberal provision for the compensation of collateral inheritance appraisers; for a more equitable and more nearly uniform law of theatrical licenses; for a stricter definition of the term "brokers" in the operation of the mercantile tax laws; for the return to the departments of the Commonwealth of all limited

partnership associations; for uniform salaries of associate law judges and uniform mileage for the members of the examining boards in the mining districts, and for amendment of the laws relating to the collection of tax upon corporate loans.

All of these subjects relate to matters about which there can be be little room for difference of opinion among thoughtful legislators. They involve no partisan issue and relate to subjects of large concern to the proper administration of the State government and the collection and expenditure of its revenues. I most earnestly urge them upon the attention of the General Assembly, to the end that legislation necessary to effect these reforms may be promptly introduced, put upon the calendar and receive the consideration of both branches of the Legislature. The administration of the offices of the Auditor General and State Treasurer during the past three years has been almost exceptional in its efficiency. The Commonwealth has been benefited vastly therefrom. The experience of the incumbents of these offices is valuable, and their recommendations deserve precedence of much of the ordinary matter that engages the attention of the Senate and the House of Representatives.

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The experience of the past few years has demonstrated that the current balances in the State Treasury averages above five million dollars. Necessarily the incumbent of that office must find places of deposit for these vast sums. In the absence of any legal restrictions, these depositories are usually selected upon considerations of political or personal favoritism. Inevitably this must lead to frequent losses to the Commonwealth as the result of misplaced confidence. In the city of Philadelphia it has been found that not only

a reasonable degree of security for idle public moneys, but profitable returns of interest can be found; an annual income of from one hundred to one hundred and fifty thousand dollars could, I am satisfied, be secured for the Commonwealth from these idle balances, and all existing protection be maintained, if not enlarged. An active account of one-fifth the present average of treasury balance would be more than adequate for all the purposes of the State's business. The refusal or neglect of the General Assembly to devise and put into active operation laws to make the State's money remunerative will be a public confession that the business of the Commonwealth is to be managed on wholly different principles from those which make private enterprises successful, and it would encourage public officials in their repudiation and contempt of the salutary principle that their offices constitute a public trust.

In a recent opinion, handed down by the Supreme Court of Pennsylvania it is again called to public attention that one of the grievances of the people before the adoption of the constitution of 1874, was the excessive compensation of county officers in counties having a large population, where it was alleged "the receipts from fees were out of all proportion to the services rendered or responsibilities entailed." It was the purpose of the constitution, and of legislation passed to enforce the same, to rid the State of this fee system, and of the almost equally obnoxious system of mixed compensation by salary and fees. The system still continues in connection with certain of the higher State officers, certain offices in Philadelphia and Allegheny counties and to a reprehensible degree in many of the larger counties of the state, if not in countries of all sizes. The

payment to the Secretary of the Commonwealth, the Attorney General and Insurance Commissioner of part of their compensation in fees is a pernicious system, and ought to be abandoned at once by statutes prescribing adequate but fixed salaries for these officials, neither stimulating nor retarding their energies in the discharge of their official duties by hope of fee or promise of reward. All fees or commissions paid to county treasurers for the collection of State taxes and of the enormous perquisites still attaching to the office of register of wills in certain counties of the State for the collection of collateral inheritances, should be the subject of prompt legislative regulation and restriction.

The present regulation of law that certain State officers and the judges of the courts shall be paid their salaries quarterly only, while many subordinate officials are paid monthly, has been found to work hardship and to occasion personal inconvenience in many quarters. I recommend that the practice be made uniform and that the laws on this subject provide that the salaries of all persons paid by the State shall be paid at the end of every month.

Following and improving upon a precedent established by his immediate predecessor, the present Secretary of the Commonwealth has submitted to me a comprehensive and interesting biennial report, which I herewith transmit for the information and consideration of your honorable bodies. The enormous increase in the corporation business of the Commonwealth is shown in the detailed statement that during the two years ending November 18, 1894, the number of charters granted, including building and loan associations, traction and motor companies, banks, insurance com-

panies, natural gas companies and corporations rechartered or amending their letters patent, was 1,305; a thousand statements were filed by foreign corporations, besides the incorporation of 64 steam railways and 218 street railways. The rapidly increasing number of street passenger railway and traction motor companies indicates the growing importance of this interest in our State. The comparative statement of the business of the State department for the last two years shows a decided net increase over that of two years immediately preceding, notwithstanding the general depression in business. All the expenses of this department are more than paid by the receipts from the issuance of letters patent and the filing of corporation papers. A valuable feature of the report of the Secretary of the Commonwealth is found in the publication of the decisions of that official upon questions of corporation practice, which are of general interest to the public and of peculiar interest to the legal profession. The recommendations of the Secretary that the list of charters should not be bound with the pamphlet laws; that military commissions and records should be assigned to the department of the Auditor General; that the Board of Agriculture be given full control of all matters and papers relating to commercial fertilizers are entitled to your careful attention. The collection and duplication with this report, of the numerous opinions and decisions of the Dauphin county court of common pleas upon questions as to nomination certificates and papers, are also of much value and interest, and the recommendations of the head of the department of State as to clearer definitions by the ballot reform law should be supplemented by the amendments necessary to make these suggestions effective.

There are on file in the office of the Secretary of the Commonwealth many telegrams and other communica-

tions which passed between the different State authorities and between the State officials and representatives of the federal government at the outbreak and during the progress of the war of 1861-65, which are of great historical interest and importance. Their value will increase as time passes and likewise the danger of their loss, mutilation or destruction. I therefore, cordially concur in the recommendation of the Secretary that these be collected, compiled and published in some permanent form for preservation and for general information.

The adoption into the laws of our State of the official ballot system of voting is no longer an experiment. Its first trial almost entirely dispelled all popular prejudice based on apprehension that the voters of the State could not adopt themselves to its provisions. It has already gone far to secure secrecy of the ballot and to prevent corrupt interference with the individual voter. The change effected by the amendatory legislation of 1893 has proved satisfactory. Some ambiguities and inconsistencies in the law as it stands are pointed out in the opinions of the courts, rendered in cases arising under it, and they need to have careful study by competent committees of the Legislature, to whom the subject may be entrusted. The exact meaning of marks and omissions to mark on the ballot are not as yet popularly understood, nor legally defined; before serious results follow, the doubts which exist, better definition should be given to them by legislation. It was not the intention of this law to make independent voting more difficult than under the old system, yet in many cases it has had that effect. The inestimable advantages, however, of a uniform and official ballot, of private booths and of the freedom and secrecy with

which the individual voter may now exercise his franchise, are not to be measured by these trifling difficulties. Time and experience will doubtless cure most of them, but wherever remedial legislation is necessary it should be promptly given.

I consider that it would be a wise supplement to our present election laws if, by some well regulated scheme the right of every voter should be judicially determined before election day. The registry lists being closed sixty days before the election and suffrage tax payments to qualify electors ceasing thirty days before the election, it would be entirely practical for the voting lists of every district to be thoroughly purged by the courts before election day, the rights of every voter to be determined and complete lists of all qualified voters to be placed in the hands of the election officers, except changes due to death or removal. This system prevails in many of the States of the Union, with excellent effect. The result there is that no partisan feeling on the part of a majority of any election board can lead to the exclusion of a legal voter nor to the admission of the ballot of one who is not qualified. This would be one of the most important reforms that could be engrafted upon our electoral system, and I see no practical difficulty in the way of enacting it into a law.

Unfortunately I believe for the best interests of the public, the constitutional amendment proposed a few years ago for the repeal of the constitutional provision requiring payment of a poll tax once in two years was defeated. Since then the enormous evil of political committees paying the taxes and holding the tax receipts of voters has been on the constant increase. It has attained most alarming proportions, especially in the great cities, where the number of voters whose political duties are thus attened to by party organizations now runs up to hundreds of thousands. Vast sums of money, in Philadelphia alone, in a single campaign

amounting to $50,000, are raised by the political parties. The very raising of this fund leads to public demoralization and keeps up the vicious system of money in our politics. It places parties under obligations to those who furnish it and taxes public servants to raise it. All of these are evils of great magnitude. The comparatively trifling revenue raised from the poll tax is of no consequence whatever in the vast revenues of the State and of the municipalities which get it; whereas the spectacle of hundreds of thousands of voters having their duty vicariously performed and of political committees purchasing and distributing tax receipts is degrading from every point of view. I earnestly recommend your honorable bodies immediately to formulate and pass a constitutional amendment abolishing the tax on the franchise; indeed, I am not convinced that the proposition made in another State some years ago, to impose a tax upon those who neglect one of the first duties of citizenship, viz: to vote at all elections, would not be a more reasonable and effective regulation of the elective franchise than to impose what, at most, is an irritating tax upon the right to perform one's duties.

Notwithstanding the provisions of the act of 1874, providing for the trial of contested elections in the courts of the Commonwealth, and the contemplation of that act, that the real issue of law and fact in contested elections shall be tried in the courts, it has been the rule to make these trials mere matters of form, to suppress and prevent actual judicial investigation, and to appeal and transfer the cases to the different branches of the Legislature. In the House of Representatives particularly the whole investigation is re-opened. The election committee travels over the State, going through the form of examining witnesses, without much regard to legal principles or judicial forms. Questions of law and fact are decided mainly on parti-

san or personal grounds, and the so called "investigation" is not only a judicial farce, but a most costly and unsatisfactory proceeding. Enormous bills of cost are saddled upon the Commonwealth, or are so scandalous that, when they are inconsiderately passed by the General Assembly, they must necessarily encounter the Executive veto. It is not fair to contesting parties that such proceedings should characterize an inquiry into the rights of claimants to a place of honor or profit and responsibility. The law of 1874 should be so amended as to provide that the real trial of the questions of law and fact in election contests for a member of the Legislature should be determined in the courts; that the judgment of the court upon the issues actually involved should be conclusive, that the determination of which claimant received the majority of the votes and was elected should be finally settled in the court, with no power in the Legislature to re-open it, nor to determine anything relating to the contest, except whether or not the person returned as elected was himself "qualified" to sit in the body in which he claimed a seat.

There has been complaint in some quarters that the rigid opposition of the courts to all investigations and recount of the contests of the ballot box, except under certain difficult conditions, tends to protect fraud. I recommend, therefore, such amendments to the election as will authorize and require the courts, upon petition of a certain number of voters, alleging a miscount of the vote, to order the ballot boxes and their contents into the custody of the courts, to be opened, examined and recounted whenever any proper necessity for such course has been legally made to appear. Such a bill passed second reading in the Senate last session, but failed in final passage by postponement.

The Supreme Court of the State, the appellate judicial tribunal of highest jurisdiction and of last resort, as at present constituted, consists of seven learned justices. It has large powers and grave responsibilities. Its members, too, have onerous duties laid upon them in their obligations under the law, to give their opinion in writing and to file the same of record upon every point on which a judgment of reversal shall be entered, and in such other cases as the majority of the said judges shall deem of sufficient importance to require their opinion, to be reduced in writing and filed of record; and also "to reduce their opinion in every case in writing at the time such case may be decided."

Popular and professional interest in the result of litigation, encouraged by long usage, expects of them prompt deliverances and the expeditious dispatch of business. vast increase in the number of cases taken up, the seriousness of the many new questions arising out of our more and more complex social, political and business life, have aggravated the labors of the judges. Thus far, it is admitted, they have kept well abreast with the business of the court; but none of the members of the Supreme tribunal themselves would fail to concede that it has been done only with a degree of individual effort that is inconsistent with that leisure for calm repose and judicial deliberation which should ever attend the exercise of the highest political function in our present system of government. Various plans of relief have been suggested, and the subject, I am glad to believe, has already received such general consideration from the members of the legal profession that some well-matured plan may be promptly presented for your early consideration. Neither a division of the court into two tribunals, with limited territorial jurisdiction, nor the erection of a separate court of appeals for orphans' court cases, would, in my

judgment, be the best means of relieving the present conditions. If a restriction of the appellate jurisdiction to cases involving a certain amount of money—except where Constitutional questions are involved, ar a special allocatur is allowed—should be deemed an infringement of the rights of suitors, some scheme might be devised by which intermediate circuit courts could be organized, composed of the common pleas judges within a certain district, many of whom are at present disengaged from active duty during a large portion of the year. Whatever form this relief shall take, I feel great concern that it be immediate, and it may be confidently asserted that the Supreme Court itself, burdened with the consideration of more than 800 cases per year, will welcome any well-considered legislation which shall reduce its labors, enhance the dignity of its deliverances and command added respect for its judgments and opinions.

The twenty-first annual report of the Insurance Commissioner to your honorable bodies, already published, presents review of the operations of his department and of the condition of the companies transacting fire, marine, life and accident insurance in this State up to the end of the year 1893. The reports of the many companies under the supervision of this department are made up to the very end of the calendar year, so that the report for the current year will not be communicated to the Senate and House of Representatives until some subsequent period, probably about April 1st. The first division of this report relates to fire and marine insurance, from which it appears that this business was, upon the whole, conducted unprofitably dur-

ing 1893. I direct your special attention to the explanation of the Commissioner that this is due, in some degree, to the heavy expense account rendered necessary by competition for business. The facility with which irresponsible mutual insurance companies can be chartered and may begin operations calls for the animadversion of the Commissioner. The want of proper legislative restrictions upon some of the new and venturesome lines of insurance business for which companies may be chartered also calls for legislative attention. The enormous growth of the business of life insurance and the facility with which the credulous are imposed upon by unsubstantial companies, suggest the propriety of surrounding the business with every possible safeguard for the protection of the public. The insurance upon lives of residents of Pennsylvania aggregates more than a million and a quarter of policies, of which little more than two per cent. were in companies of our own State. I am in entire accord with the recommendation of the Commissioner that companies should not be allowed to prepare or publish statements in the form of advertisements that are not in accordance with the official statement on file in the Insurance Department in each and every item. The standard by which the value of the assets of all life companies may be safely measured should be prescribed by law. The insurance of infants, of mere children in arms, has alarmingly increased in our Commonwealth, and seems to be a successor to the former scheme of death-bed or graveyard insurance. It is no less demoralizing, in view of the fact that the subject of insurance can have no voice in the direction of the company, and little control over the circumstances upon which the payment of the insurance is contingent.

The Insurance Commissioner calls the attention of the Legislature to the insurance association known as Lloyd's. These are not incorporated companies, but

associations of individuals, and, under the act of 1870, recently affirmed by the Supreme Court, they have no right to transact fire insurance business within this Comomnwealth. It has also been decided that the act of 1876, making it a penal offense for the agents of insurance companies of other states to transact business within this Commonwealth without a certificate of authority from the Insurance Department, does not apply to these companies, but only incorporated associations. Legislation is necessary to make the existing conditions consistent. If it is the policy of the State that individuals, associated otherwise than by letters of incorporation, should not be permitted to transact fire insurance business, the prohibition should be extended to all classes of insurance—life, accident and marine—as well as by fire or lightning. If, too, citizens of our own State are forbidden to engage in individual enterprises of insurance, it should be made a misdemeanor for the agents of unincorporated associations of other states to transact their business here with or without a certificate of authority from the Insurance Commissioner.

Although the delay of the necessary legislative appropriation retarded systematic operations by the Banking Department for nearly a year and a half from the time of the passage of the law creating it, every one of 177 institutions now under its supervision has been visited and carefully examined. Some of them have had such supervision several times and the quarterly reports of all have been received and acted upon. The test of the efficiency of this branch of the State government has been exceptionally severe, owing to the prevailing depression and uncertainty of business during the past two years. That the execution of the law has

been conservative, as well as effective, is shown by the fact that, without any demonstrations calculated to excite panic or distrust, the department has caused over four million dollars of bad assets, carried as available, to be charged off, and has required a million dollars of impaired capital to be replaced. Stockholders and depositors have been alike strengthened in their security by better management imposed upon their institutions. The most substantial banks and trust companies of the State bear universal testimony to the intelligent work and the watchful care of this department, resulting in such strengthening of public confidence as has been for their common good. The three months ending November 29, 1894, showed an increase in the capital of the banks, saving institutions and trust companies of Pennsylvania of $646,203.36, and while the surplus and undivided profits decreased, their deposits in the same period were increased $11,628,613.50; their reserve, $6,677,657.38, and their investment securities $24,629,150.72. The recommendations made in the first annual report of the present banking superintendent, to which I called attention in my biennial message of 1893, are repeated with emphasis. They should have the attention of the Legislature. Every principle of sound finance and of good banking demands legal limitations of the loans of individuals, firms and corporations; a uniform period after which unpaid obligations should not be carried as available assets; assurance of the formation of a surplus fund; ample powers to the superintendent to ascertain the responsibility of depositories; the strict enforcement of the obligations of directors to direct, and close scrutiny of collateral securities for loans.

The report of the chief of the Bureau of Statistics will bring to your notice many valuable and interesting statistics concerning the building and loan associations which have been nourished in our Commonwealth by favorable legislation. They are almost universally on a sound basis, conservative and economically managed. They are useful in effecting savings on the part of workingmen and persons of moderate means, to the amount of many millions of dollars; and thousands have secured homes through their membership in these institutions. Of late, however, our State has been overrun by foreign associations of this character, which hold out glittering inducements to the credulous and impose upon the unwary. Many of them have already demonstrated their worthlessness, and others which have taken hundreds of thousands of dollars out of our Commonwealth for foreign deposit or investment, will sooner or later realize bitter disappointment for their stockholders. There should be legislation forbidding any so-called building and loan, saving fund or investment society, not chartered by the laws of this Commonwealth or having its main office and property within its jurisdiction, from soliciting or doing business in this Commonwealth, or through any sub-agencies or local board of directors, without being subject to State supervision and without making some deposit or giving adequate security within the jurisdiction of our Commonwealth to protect home investors. The certificate of any foreign corporation registered to do business here should be cancelled upon judicial determination that it is doing a business against public policy or unwarranted by law.

Measured by the magnitude of the appropriation of public moneys and by the number of individuals directly affected, the public schools are the most important interest of the State government. The abundant revenues of the State have long since permitted the

foresight and liberality of the Legislature to far outrun the required constitutional appropriation to their support. Five and a half millions of dollars of the amount of the present annual State appropriation and there seems to be no demand nor occasion for the diminution thereof.

When it is remembered that the total number of pupils of these schools in the State for the last school year was 1,040,679 and the average attendance 759,560; the cost of school houses, purchasing, building, renting, etc., $3,396,818.13; the cost of school text-books and supplies nearly two millions of dollars, and teachers' wages $8,998,343.66; and from other statistics on the same grand scale, some idea of the extent and importance of this department may be obtained.

I commend to your consideration in its entirety the report of the present highly competent, scholarly and faithful superintendent of this department. It is perhaps of first importance that some of the defects and dangerous tendencies of the system should have intelligent consideration. A lack, in some quarters, of fit buildings, with proper conveniences, should warrant the withholding of the State appropriation, in the discretion of the State superintendent, until he is satisfied that it will be applied in this direction. The fact that the average length of the school term is less in Pennsylvania than in any of the adjacent states, excepting one, and that we rank eleventh of the states of the Union in this regard, is not creditable to the local management of the school in many districts of the State. The necessity of a school census, the demand for the extension of the "high school system" to rural districts; the advantage of some systematic study of the principles of citizenship, and the pernicious effects of selecting teachers through any favoritism and partisanship, are clearly pointed out by the Superintendent of Public Instruction. His suggestions merit your

earnest attention, and legislation appropriate to enforce them should be enacted. The furnishing of text books and school-room supplies free of cost to the pupils, which was once considered an experiment, has proved an undoubted good. It works satisfactorily nearly everywhere and it has largely increased school attendance. I continue to prefer such means of extending popular education to the rigors of a compulsory school law.

The increasing popular demand for higher education; the strengthening and development of Pennsylvania's numerous excellent classical colleges and universities, suggest their claims upon the liberality of the State.

The terms of the Act of May 27, 1893, providing for the erection of the Pennsylvania Soldiers' Orphans' Industrial School, have been in large part complied with. The tract of ground selected by the commission, situated near Scotland, Franklin county, was deemed by a majority of the most suitable and appropriate site for the same. It is to be regretted that the plans of the commission have outrun the appropriation of the General Assembly, and for the explanation of this deficiency I refer you to the report of the commission in detail. In the near future the claims of the soldiers' orphans, strictly speaking' will, of course, be exhausted, but the demands of indigent children upon the bounty of the Commonwealth for practical education in various branches of handicraft will be present always and I urge upon the Legislature wise provision for them.

According to the report of the Adjutant General, the number of men enrolled in the State subject to miliatary duty is 800,324. The National Guard, itself, aggregates 8,934, a gain during the year of 322. The spring inspections showed no deterioration of the conditions of former years, and if the averages were not as favorable, it was because the standard of excellence

had been advanced. The leading event of the year in the history of the Guard was the Division Encampment on the historical field of Gettysburg. It was a complete success from every point of view, and was so pronounced, not only by the officers in immediate command, but by many visitors of high military distinction from the military departments of other state governments and from the War Department at Washington. Capt. Alexander Rodgers, a distinguished cavalry officer, detailed by the Secretary of War, to inspect the National Guard, has submitted an elaborate report, which concludes with this most complimentary expression upon the condition of the State soldiery of Pennsylvania:

"The National Guard of Pennsylvania, which was in such a high state of efficiency last year, has made very evident progress within the last year. The fact that a great majority of the law-abiding citizens of the State understand this usefulness and the necesssity for keeping up its present efficiency gives to all the members of the Guard encouragement and an incentive to put forth their best efforts. As it stands to-day, it is a guaranty of peace and order in the State."

The generous appropriation of the last legislature has enabled the troops to be better uniformed than ever before, the new equipment contemplated having been supplemented with rubber blankets, haversacks and other useful articles. The equipment of the cavalry and artillery is also nearly complete, the Adjutant General recommending only the addition of two modern breech loading rifled guns for each company of artillery. Of the appropriation to this department there remained to the credit of the Adjutant General on December 1st, $107,751.25.

The gratifying announcement by the General Inspector of Rifle Practice that substantially the entire

Guard now qualify as marksmen attests alike the efficiency of their practice and the high average skill of the rank and file. In 1891 there were 4,549 marksmen in the service; now there are 8,475, of whom 1,316 are sharpshooters. It is gratifying to our State pride that in the international rifle competition at Sea Girt, New Jersey, the Pennsylvania team won the Hilton trophy for the fourth time.

The report of the Attorney General to your honorable bodies for the two years ending December 31, 1894, will show that the operations of the law department during this period have been unprecedented in volume, and that they have resulted very largely to the present and future pecuniary advantage of the Commonwealth. Owing to the unusual number of appeals and of cases tried and determined at the very last court of his official term, it is impossible for me now to furnish to you the exact figures showing the number of cases tried and disposed of and the collections made by the law department. For them I refer you to his biennial report. Since January, 1893, about 775 appeals were taken by the public and private corporations or by public officers from taxes imposed upon them or settlements made by the auditing and fiscal departments, and in addition about 330 claims for bonus on charters and other liabilities of the Commonwealth were put into the hands of the law officer for collection. Practically, all these have been tried, settled, adjusted and determined. The collections of this department for the past two years will exceed two million dollars and, together with the collections of the previous two years, will comprise, during the whole of my official

term, an aggregate of nearly three million dollars, two and a half times the largest amount ever known in any corresponding period. Very many of the claims for second instalment of bonus of corporations chartered by the Commonwealth were stale and some uncollectible, thus emphasizing the necessity, which I have referred to elsewhere, of amending the law upon this subject so that the entire bonus be made payable before the letters patent issue.

Besides the collection of claims due the State and the trial of many and varied tax questions arising in the courts, the past two years' administration of the Attorney General's department have been signalized by the successful contention of the Commonwealth with the city of Philadelphia for the recovery of the moneys lost by the defalcation of its city and county treasurer in 1891. The Supreme Court affirmed the opinion and judgment of the Dauphin county court, in which it was held that the municipality must answer to the Commonwealth for the personal property tax due to the State, which had been collected by the city treasurer, but had not been paid into the State treasury; likewise as to the tax on municipal loans. The amounts involved in these cases were very large, but the principles settled, that the county officers were the agents of the municipalities which elected them and which must be held responsible for their conduct, and the reaffirmation of the principle that the sovereign State should not answer for the laches or neglect of its own officers, were of highest importance. The successful attempt to recover from certain newspaper publishers the rebates or commissions which they had paid the agent of the State to secure its official advertising, established a most salutary principle and has had a most beneficial effect. The gratifying exhibit that, notwithstanding more than a million dollars of the Commonwealth's moneys were imperiled, there

have been recovered by various suits and from different sources as much as the whole amount, if not more than was actually endangered, is creditable to the law department and should be satisfactory to the public.

In the enforcement of corporate obligations to the State, and the prompt and vigilant collections from delinquent taxpayers, the Auditor General and Attorney General have heartily co-operated. The Departments of State, Insurance, Banking and other coordinate branches of the administration have had the efficient assistance of the Attorney General. Insolvent insurance companies, so-called beneficial societies, carrying on a business not warranted by their charters or against public policy, have had proceedings promptly instituted and vigorously impressed against them. The attempted lease and consolidation of the Lehigh and Susquehanna and the Lehigh Valley Railroad Company's by the Philadelphia and Reading Railroad Company, was the subject of the State's inquiry by writ of quo warranto, and exhaustive testimony was taken in the legal proceeding instituted to sustain the contention of the Commonwealth, that this combination was in violation of the Constitution and against public policy. It resulted in the voluntary abandonment of the proposed leases and in the surrender of the corporate property to its respective owners. The case was dismissed only when it had been made to appear to the satisfaction of the courts that there had been an absolute and complete dissolution of the attempted combination.

It will be a welcome announcement to the General Assembly and to the people of the Commonwealth that our State Library now number over one hundred thousand volumes in its collection of books of general value and interest, not including twelve or fifteen thousand volumes of duplicate State publications required by the law to be kept on hand. It is, however, to be re-

prehended that in many instances in which the Legislature provided for the publication, at the expense of the State, of important volumes, no account has been made of the necesssities of the State Library for volumes for exchange with state and foreign governments, from which we expect and receive reciprocal advantage. In one instance in which the State appropriated $2,500 to a private enterprise, not a single copy of the book thus paid for was furnished to the State Library. I concur in the recommendation of the State Librarian that a general act be passed prescribing that in the case of every publication ordered to be printed at the expense of the State, it shall be understood that two hundred extra copies are to be especially allowed to the State Librarian for exchanges. The new fire-proof building erected for the accommodation of the State Library, with its admirable and modern arrangements for the location of the books, is unsurpassed by the facilities for like purposes of any State government in the Union. It renders all the more conspicuous the obligation of the State to maintain the library to its present high standard.

The failure of the General Assembly of 1893 to make an appropriation of $12,000 for miscellaneous books has somewhot retarded the purchase of the current volumes necessary to keep the library up to a proper standard. In view of the fact that there is now in the entire United States only one state library more voluminous than Pennsylvania's, it may fairly be urged upon the Legislature that liberal appropriations are needed and should be granted to supply its deficiencies. It has become already in many respects a reference library for students of this and from other states. Such gaps as exist in its collection have been made more apparent by the removal to the new building and by the rearrangement of the books. The State annually appropriates vast sums of money to institutions

of purely local concern, in whose management the Commonwealth has no control, and in whose property it has no interest. Such a collection as the library, for the honor and benefit of all the people of the State, and one of its proudest possessions, may well lay claim to the liberality of its Legislature. The present faithful Librarian, to whose energy and intelligence is largely owing the high rank of this library, deserves to be supplied with proper means and help to make his labors most efficient. The difficulty and cost of preparing catalogues from time to time emphasizes the necessity of a permanent cataloguer, and other assistants should be furnished at the discretion of the Librarian. In the one state library, which outnumbers Pennsylvania's in volumes there is a permanent force of thirty-three assistants to the chief.

The prompt and generous consideration by the last Legislature of the recommendations of my biennial message for a new fire-proof building for the State Library, resulted in the erection of the splendid new structure on the east side of the Capitol grounds, which is now occupied by the State Library and the several branches of the Executive Department. The work of constructing this building was kept within the legislative appropriation and was completed within the allotted and expected time, ready for inspection by the incoming Legislature, and for occupation by the new State officials. It is submitted by the Board of Public Buildings and Grounds with great confidence in the popular and legislative approval of its exterior beauty and interior facilities for the purposes for which it was designed. It is a most handsome and much-needed addition to the Capitol buildings. Together with the very material improvements made in the legislative

chambers and the present enlarged accommodations for every branch of the State government, it will obviate all necessity for the erection or reconstruction of the buildings on the Capitol grounds for many years to come. Besides this, other improvements of a decided character have been made upon the immediate Capitol grounds, including the massive entrance at the front, and minor changes.

The completion of the hospital for the chronic insane, near Wernersville, Berks county, the active work of erecting the Industrial School,at Scotland, Franklin county, the selection of a site and the beginning of the election of a State institution for the feeble-minded of Western Pennsylvania, at Polk, Venango county, many additions to and improvements in the buildings of the penitentiaries, hospitals and asylums of the State, are monumental of our Commonwealth's tender care of the defective, dependent and delinquent classes of her population. I am glad to believe, and to give you my official assurance that the various bodies entrusted with the expenditure of the State's money in these directions have performed their duties unselfishly, with intelligence and a conscientious purpose to serve only the public interests. These various works have been constructed at a time when prices of labor and material were conducive to economic building operations, and the State realized good return for its money expended.

The addition of the large Executive and Library Building to the group of buildings on the Capitol grounds, has occupied much of the space adjacent to the greenhouses and conservatory. No suitable spot to which they could be removed is now found on the State grounds within the limits of the city of Harrisburg. I therefore recommend the removal of these buildings to the grounds of the State Arsenal.

The cost of insuring the many State buildings and much valuable State property from damage and loss

by fire amounts in the aggregate to a very large sum of money. The experience of large property owners and of private individuals, where the means of protection from fire are adequate and the moral risk is minimum, has demonstrated that the State might, with profit, become its own insurer. I therefore recommend to your consideration such legislation as will relieve the State officials from the obligation of effecting insurances in regularly organized companies for that purpose; that the Commissioners of Public Grounds and Buildings should annually estimate the cost of insuring all State property, whether in Harrisburg or in other localities—which I have ascertained to be about $15,000 per year; that an annual appropriation amounting to that sum shall be made; that the same shall from time to time be applied to a special fund, to be retained in some invested form in the State Treasury, to provide specifically for the repair and restoration of any damages caused by fire, and that the Commissioners of the Sinking Fund open and keep an accurate account of this fund. Calculation based on the experience of the last twenty-five years will prove that in this way the State could become its own insurer at great profit.

I have submitted to the present intelligent and experienced Commissioner of Insurance this proposition, that the State should insure its own property. He approves the idea as sound and in accordance with the fundamental principles of safe fire insurance, viz., that the insurer must have a line large enough to maintain an average loss ratio; that the individual items of property must be so scattered as not to expose the whole to one fire, and that an adequate premium, measured solely by the moral and physical hazard of each risk, must be charged. Inasmuch as the act of May 1, 1876, contemplates that a line of $200,000 insurance is sufficient to insure a loss ratio, and as the insurable property of the State amounts to many times that

sum, every condition is present which makes it practicable for the State to create an insurance fund by the annual appropriation thereto of an adequate annual premium on the insurable value of its property.

I transmit for your thoughtful consideration the report of the philanthropic gentlemen who compose the Board of State Charities, whose function is to examine carefully into the workings of the many institutions applying for and receiving State aid. I recommend to your honorable bodies careful inquiry into its recommendations and the withholding of your bounty from any institutions which have not received its commendation. Its opportunities for investigation into the merits of applicants are better than yours or mine. The "shrieks of locality" and the demands of personal favoritism should not outweigh the careful judgment of disinterested philanthropists, whose sole purpose is to serve the best interests of the Commonwealth.

To enable this board to more effectually carry out its purposes, it should be authorized to subpœna and enforce the attendance and testimony of witnesses material to its investigations. The board's review of the jail management in many parts of the State merits your attention, as well as the overcrowding of the penitentiaries and reformatories. New provision for the epileptic and criminal insane needs to be made, and an appropriation for additional grounds and enlarged buildings at the State Hospital at Harrisburg.

The act of June 3, 1893, provided for the selection of a site and the erection of a State institution for feeble-minded children in Western Pennsylvania, and made a suitable appropriation for that purpose. Under the authority contained in the first section, I appointed as

the commissioners Honorables C. Heydrick, late Justice of the Supreme Court, George A. Jenks, W. Horace Rose, George W. Guthrie and Normal Hall, representative citizens of well-known ability, integrity and good judgment, residing in different sections of Western Pennsylvania. In conformity with the direction of the act, that good, arable land, with an adequate supply of good water and natural facilities for drainage should be chosen, they invited proposals and considered all available sites offered. Many that might otherwise have been considered had to be rejected because of the high price asked for the land, which would have exhausted nearly the whole amount of the appropriation and left little or nothing for the buildings. They were fortunate, however, in securing a location at Polk, Venango county, where a tract of eight hundred acres was secured for a sum less than $25,000. Personal observation justifies me in saying that the location has all the advantages contemplated by the act providing for the selection; indeed, it possesses unusual advantages as a site for such an institution. It contains a broad plateau, especially suited for the erection of the buildings necessary to accommodate a thousand patients. It has abundant facilities for drainage and a most remarkable supply of water from three springs with an output of over 150,000 gallons of pure water daily. The commissioners have adopted a plan which they feel quite confident is a model of convenience and elegance, and I entertain no doubt that the completion of their work will add to the charitable institutions of the State one of which its citizens will have every occasion to be proud. The corner stone of the building was laid during the month of November with fitting ceremonies, and much local and popular interest attends the work of constructing the buildings.

The appropriations of successive Legislatures to the

Home for the Training in Speech of Deaf Children, in Philadelphia, have been again generously supplemented by donations of valuable and especially desirable land from Col. Joseph M. Bennett. Upon an acre and a quarter of land presented by him the trustees expect to erect a second building. Many children seek to avail themselves of this most inestimable charity—one of the highest fruits of advanced modern science and benevolence. It well merits the bounty of the State, and too much praise cannot be awarded to the intelligent principal of this home, Miss Mary S. Garrett, and to Colonel Bennett, its benevolent patron.

In pursuance of the provisions of the Act of June 22, 1891 (P. L. 369), and of the appropriation to the State Asylum for the Chronic Insane by the Act of June 2, 1893 (P. L., 256), the splendid new asylum upon the most scientific plans, near Wernersville, Berks county, has been finished and equipped for the reception and treatment of the chronic insane. The buildings have been found to be of the most improved pattern, and the present management by an intelligent, humane and practical board, with skilled attendants, has justified the highest hopes of those who projected the idea. I am convinced that the scheme which led to the institution of this hospital was based upon the most charitable forethought, and that the practical results there to be achieved will justify the liberal expenditure of State moneys.

For a comprehensive view of the management of the State penitentiaries I refer your honorable bodies to the thorough and valuable reports of the inspectors

and wardens of these institutions. The report of the Board of Public Charities deals in some measure with the conditions of local jails and illustrates the value of State inspection of the same. Any legislation that is needed to compel the local authorities in every county in the Commonwealth to maintain fit institutions for the incarceration and care of prisoners, so as to serve all the legitimate purposes of public punishment, ought to have your prompt and humane consideration.

The increasing number of capital executions and the frequent shock to the popular sense of propriety by publicity of the scenes attendant upon them suggest proper measures to avoid sensationalism and notoriety in association with the solemn ceremony of taking human life under the forms of law. One of the means proposed to avoid this is the executions of all prisoners within the walls of one of the two State penitentiaries, the same to be conducted in a private, decorous and becoming manner, by an official specially appointed and thoroughly qualified for the unpleasant but necessary task.

The crowded condition of the Eastern Penitentiary and the capacity of the new and enlarged institution of this character at Allegheny warrant a redistricting of the State for penitentiary purposes, and the casting of some of the counties, whose prisoners are now sent to Philadelphia, within the territorial limits of the Western district.

There is occasion for complaint that the prisoners are too frequently taken out of their cells and prisons for various purpose under the forms of a writ of habeas corpus ad testificandum. The increasing frequency of this occurrence might be cured by some provision of the law that, whenever it is absolutely essential to take the testimony of a prisoner to be used in a civil proceeding for any legitimate purpose, it should be taken by deposition or commission within the walls of the insti-

tution in which he is confined and subject to the regulations and official supervision of the same. It is manifestly demoralizing to the discipline of a penal institution, and calculated to create error in the popular mind, for sentenced convicts to be taken from their cells to the courts and to there be subjected to public examination.

The gross inequalities in the sentencing of convicts for the same offense and under like conditions in different sections of the State—owing no doubt to the varying caprices and different temper of judges—has, nevertheless, become somewhat of a scandal in criminal proceedings and is the basis of many complaints before the Board of Pardons. If no other remedy can be found for this condition, let the difference between the maximum and minimum of legal sentences be reduced.

The most intelligent penologists have easily distinguished between the habitual offenders against human laws, who comprise what is known as the "crime class," and those whose offenses are due to accident, impulse or hot blood. The protection of society, as well as the reform of the offended, requires a marked distinction between the treatment of these kinds of criminals. I believe that for all felonies it would be well to prescribe that a third conviction should permit the sentencing judge, in his discretion, to impose life imprisonment.

The sixth year of the history of the Huntingdon Reformatory finds it in a condition which emphasizes its significance as part of the penal system of the Commonwealth. More than 500 "first offenders," between the ages of fifteen and twenty-five are confined there. This number of the youth of the State are spared the demoralizing effect of association with the crime class;

they are the beneficiaries of a parol system in accordance with the best instincts of humanity, which puts the offender on his good behavior and generally is found to operate alike in behalf of his reformation and for the protection of society. The educational, industrial, military and religious features of the Huntingdon system commend themselves alike to penoligists and to humanitarians.

Notwithstanding the failure of the last General Assembly to modify the existing law giving the Commonwealth a right to stand aside an unlimited number of jurors empaneled in criminal cases, I am still of the opinion that the right to stand aside jurors in this manner should be repealed. I recommend that this be done by a suitable enactment, which shall provide at the same time that the number of peremptory challenges allowed the State and the accused be made equal.

The amendments to the factory inspection law, passed by your immediate predecessors, enlarging the number and extending the authority of those charged with the duty of inspection, have been strenuously enforced. A growing popular sentiment sustains legal prohibition of child labor and the age of restriction is certain to be gradually advanced. Pauperism, poverty, cruelty to and neglect of children are perhaps inseparable from the conditions of civilization and progress; but there is a gratifying certainty that year by year a larger proportion even of the children of the poor are gathered into the schools and in one way or another enjoy the benefits of a broader culture and more tender care than they were aforetime wont to receive. Pro-

tection to employes by fire-escapes, better ventilation, necessary hygenic apparatus, inquiry into the cause of and responsibility for accidents and general amelioration of the condition of workingmen and women, have followed the increased efficiency of the Factory Inspector's Department. I commend to you his recommendation in behalf of shorter hours of toil, Saturday half-holidays, better assured semi-monthly payments of wages and inquiry into and supervision of the so-called "sweating" system of labor.

The regulation by State law of fire-escapes on buildings of a certain public character, and the supervision of factories, hotels, etc., by State officers have resulted in greatly increased safeguards of human life. Recent events have demonstrated that the operation of such laws might be properly extended. As the population of the large cities rapidly increases, the built-up portions become more dense and the tendency is manifested to erect structures of great height, access to which, in cases of fire, is obstructed by many lines of wires. The Legislature should see to it that every building of unusual height, and any that is likely to be occupied by an unusual number of people, should be amply provided with means of escape in times of peril.

The thorough investigations and comprehensive reports of the accomplished head of the Bureau of Statistics, in the Department of Internal Affairs, will bring to your notice the significant figures of the extent and cost of labor troubles during the past two years. These have not been as widespread in their extent nor as disastrous in their results as often heretofore. The report of the military operations of the State government and of the movement of the National Guard discloses fewer calls upon it and less necessity for its use

to protect property and to preserve the supremacy of law than in some former periods. I have never permitted the intervention of military power until satisfied that the civil authority has been exhausted in an effort to maintain peace; and I have never hesitated when this was demonstrated to lend the military arm of the State government to maintain civil order and the supremacy of the law, to protect property from destruction and to prevent riot, arson and murder. Happily, the mere assertion of this determination has been sufficient to secure the ends aimed at.

Bitter experience has often taught both employer and employe the unprofitableness of strikes, lockouts and every form of forcible collision and passionate dispute between labor and capital. All temperate representatives of either admit their community of interests. Co-operation and arbitration, therefore, seem to be methods of avoiding or of settling conflicts which both would ardently seek. Thus far, in our Commonwealth, legal provisions for arbitration seem to have been ineffective, whereas in some other states, notably in Massachusetts, a measure of success has attended a State scheme of amicably settling labor disputes. There ought to be no difficulty in devising a board of arbitration in which both sides might have confidence, and to whose impartial judgment both would yield respect. Such a suggestion is not intended in any way to interfere with the right of private contract; but when either the oppression of the great railroad, mining or manufacturing corporations of the State, or the disorder, rioting and destructiveness of their employes destroy or interfere with the free movements of our citizens, obstruct travel on the public highways, check the supply of the great staples of life or threaten the public peace and order, the responsibility for this condition of affairs becomes a matter of governmental concern. Corporations deriving their life and powers from the

Commonwealth and seeking its protection owe to it the duty of serving and carrying out the purposes of their organization. When they confess themselves unable to do this, because of a lack of confidence on the part of their employes and an incapacity to satisfactorily adjust the question of wages, they become subject to the visitation of the Commonwealth. It has been well said: "The State is bound in the end to interpose; and if the State is to come in at the finish with the bayonet, it may as well come in at the start with the balances."

The frequent abject surrender of the duly constituted civil authorities to the turbulent and disorderly —the failure to summon and successfully to organize the sheriff's possee comitatus—and the too frequent unwillingness of representative men who esteem themslves good citizens to support the civil, while they lustily call for the military branch of the government—are not at all creditable to a system which depends upon the peaceful authority of law rather than the arbitrary exercise of force. The spectacle of a sheriff cringing before a mob is a piteous one, and the Executive should be vested with the authority promptly to remove any one who shows himself unwilling or unfit to perform his official functions and to fill his place with a qualified successor.

In association with this thought, I regret the necessity of calling to your attention the fact that during the past two years, a brutal lynching stained the soil of Monroe county and of this State; justice was travestied and the forms of law superseded by a most dangerous and shocking crime. Despite the charge of the grand jury by the court to fully investigate this notorious affair, none of the offenders has been brought to punishment.

Considerable confusion has been occasioned in labor and banking circles by changing Labor Day in Pennsylvania from the first Monday to the first Saturday in

September. Uniformity with other States and with the federal regulations on this subject is one of prime consideration, and if Saturday cannot be generally agreed upon, it would be better for our State to change to the day generally observed elsewhere.

Nothing could more vividly illustrate the unprofitableness of labor strikes and resulting disadvantages to those who direct them than the statistics of the Department of Internal Affairs, according to which the loss in wages in 1893 in Pennsylvania, incurred by the striking employes in fifty-three strikes, was $1,395,423.-75; while the loss of the employes was estimated at $131,650. The riot of January 27, in Mansfield, Allegheny county, resulting in the burning and destruction of property, and in the loss of at least one life, was largely due to the impulses of a population alien to our laws and language to destroy life and property. Like influences inspired the spirit of destructiveness which permeated the strike of the coke workers in the Connellsville region. Non-English speaking miners were conspicuous, too, in the June (1894) strike in Jefferson county, to check which two regiments and a troop of cavalry of the National Guard were called out by the disposition shown to destroy property by incendiarism. As usually happens in these cases, the mere demonstration of the purpose of the State authorities to suppress disorder was sufficient to maintain order without the firing of a gun or the loss of life. Of the twenty-seven strikes which occurred during the year 1894 up to December 11, all save three failed to effect the purposes at which they were aimed.

The coal production of Pennsylvania is one of the great material interests of the State. In carrying it on enormous ventures of capital are required and large risks are incurred. Of even greater concern, in both the anthracite and bituminous regions, are the danger to human life. These have been the subject of frequent legislation and the enactment of 1893, relating to the bituminous coal mines, went further toward their regulation by the State than any previous legislation. Experience has demonstrated the wisdom and efficacy of the law. Its operation is not only conducive to the protection and health of the underground employes, but it meets the approval of humane employers who are concerned for the well-being of their operatives. No step backward should be taken on this subject.

Some complaint continues that miners are defrauded by the use of false weights. If it should be found upon due and impartial investigation that there exists substance for such complaint, the General Assembly might fitly consider the propriety of establishing a State office, the incumbent of which would have power at any time, when called upon or of his own volition, to test mine scales or to measure and brand mine cars.

The frequent occurrence of mine disasters in the slate region of the State, accompanied in some cases by the loss of a half dozen human lives, suggests the necessity of extending State protection and regulation to other underground operatives than those of collieries.

Frequent complaints are heard, and some have been made to the Law Department, from centres of mining or manufacturing industries, that the act of June 9, 1891, forbidding mining or manufacturing corporations from carrying on stores, is violated. Investigations have, in most cases, disclosed the fact that the grounds

of complaint were offenses against the spirit and not against the letter of the act. Being highly penal in its character and carrying with it the penalty of a forfeiture of corporation franchises, cases under it are bound to jealously scrutinized and its effect and operations to be strictly construed. As at present enacted, the same persons may be stockholders and managers of a supply store and of a mining or manufacturing corporation at the same place, if conducted entirely apart and without any prevailing rule, regulation or contract to make the employes of one become the patrons of another. Moral coercion is used to defeat all the purposes of the act of 1891, and the laborer continues to be victim of the so-called "pluck-me" system. A more particular legislative definition of this scheme of labor oppression is demanded. Specific punishment, by fine and imprisonment, of the individuals directly or indirectly engaged in it would be found efficient as a partial remedy.

The provisions of our statute law relative to the manufacture, transportation, sale and use of explosives should be amended or supplemented by legislative provision regulating the same in regard to nitro-glycerine, dynamite and other destructive agencies. The terrible danger to property and human life occasioned by the careless or criminal use of these deadly compounds demands that some safe-guard be thrown around the public and some restriction be imposed on those who use them even for a lawful purpose.

The evil of corporate discrimination against some and in favor of other patrons is neither abated nor diminished. Existing legislation seems to be ineffective to restrain or to punish those who violate the plain mandates of our fundamental law. Whether it has

not been the serious intention of the Legislature to afford a remedy, or whether it has been refined away by judicial construction, is not so much the immediate question as how fitly to meet the condition which confronts us. That common carriers should not afford superior facilities or lower rates to one person or corporation under like conditions than to another, and that a transportation line should not charge more for the shorter than for the longer haul, seem to be such obvious propositions that they apply as forcibly to the sense of commercial expediency as to that of natural justice. Nevertheless, it is freely charged, and has been frequently disclosed in judicial proceedings, that these axomatic principles of law, justice and trade are constantly violated. More stringent and positive legislation is needed to enforce them. Every sort of secret rebate, discrimination and favoritism should be made punishable by a fine and imprisonment of the individuals who practice them, and should warrant the forfeiture of corporate power which thus abuses it. The constitutional inhibition of free passes is practically a dead letter, because appropriate legislation has not been enacted to enforce it. The new constitution of New York, in embodying a like provision, has provided forfeitures and foreshadowed fines and imprisonment for those who offend against it in this regard.

The complaint that the chief seaboard city and principal port of Pennsylvania has lost its commerce and is the victim of trunkline discrimination—that the products of our mines and mills are carried past our own markets and delivered more cheaply to extra-State points—that the coal dealers and consumers of Philadelphia are placed at a disadvantage with those of New Jersey and New York—comes from the press, the merchants and manufacturers of our metropolis. If those to whom their first appeal is fitly made pay no heed, the General Assembly should afford prompt and far-reaching relief.

An interest of vast and constantly increasing importance in the Commonwealth is that of street passenger, electric, traction or trolley railways, as they are variously known, according to the different appliances used and the nature of the country which they traverse. The old-fashioned horse cars which used to pass over comparatively few of the streets of the leading cities have given place to the swiftly moving trolley cars, propelled by electricity, occupying not only the streets of the cities but the turnpikes and highways of the suburban and rural districts, and with their appliances moving on wires strung from poles raised in the air. By what is vaguely called "municipal consent," by the lease or purchase of turnpike roads and the control of their franchises, and by permission obtained by various devices and in the most informal way from township supervisors, the corporations owning or leasing these roads have acquired most valuable and important franchises, and have absorbed large grants of power. The exact rights and duties of these companies to the public, the validity of their encroachments upon the highways of the Commonwealth, their relations to what are known as "traction" companies, and the extent of the power of these latter to mortgage their leases are questions that must, in the near future, vitally interest the public and perplex the courts. The plain meaning and intent of our fundamental law are, that in enterprises of this kind there shall be no stock or bonds issued, except for "money, labor done, or money or property actually received," that there shall be no greater amount of bonded obligation than of paid-in capital stock, and that all fictitious increase or "watering" of stock or indebtedness shall be void. If the claims which are made for electricity as a cheap, practicable and effective motive power are founded on well-established scientific basis, there can be no doubt that roads operated by this agency can do much for the develop-

ment of our Commonwealth, and that in the near future they must be invested with the right of eminent domain, the authority to carry freight, mails and perform all the functions heretofore exercised by steam railways. But all such grants of power are to be jealously guarded. The public streets of municipalities and the highways of the rural regions are not to be given away without compensating advantages to the public and franchises which, in the very nature of the case, must be monopolies, should not be granted except the provision be coupled with the concession that, as the grant becomes more valuable the compensation paid to the grantor shall steadily increase. With regard to these and to all corporate franchises, it needs to be kept constantly in view that their competition and not their consolidation and combination is for public advantage. It has become the fashion for corporations, under the plea of a healthful competition, to secure special franchises from municipalities on their street and, these once secured, immediately to effect consolidation with others—all the parties to such combinations pooling their issues and violating the very essence of the conditions upon which they obtained their grants. To prevent these, I am of the opinion that the Legislature should prescribe regulations similar to those of the 4th section of article XVII of the constitution, relating to parallel and competing lines of railroads or canals. Competing lines of passenger railway, gas, water or electrical companies should not be allowed to effect consolidations and combinations hostile to the interests of the Commonwealth or of the citizens of municipalities which have granted them rights for the express purpose of obtaining the benefits of competition.

The State, too, should receive adequate returns in the nature of increased and increasing taxes upon this class of railroads in connection with any enlargement

of their rights and privileges. The recent decision of the courts, that there is no provision in this Commonwealth for elevated railroads, remands that question to the Legislature. They have been found to be valuable agencies of rapid transit in some of the leading cities of the country, and if they are entitled to be be so considered, their enumeration among the objects proper for incorporation in our Commonwealth should be conceded by the Legislature, without reference to or consideration of the selfish views of business competitors, which, having obtained their own grants of power, would exclude all competitors from the favor of the State.

The bountiful appropriation of $300,000 enabled Pennsylvania to make a suitable exhibition of the elements of its material greatness and moral elevation at the great World's Columbian Exposition in Chicago in 1893. A commission of public-spirited and representative citizens, coming from all parts of the State, exponents of our varied industries, had charge of this exhibit. They performed their duties in a most acceptable manner. Our Commonwealth was enabled to present itself as befitted its rank among the States of the Union. The intelligent and indefatigable direction of A. B. Farquhar, the Pennsylvania commissioner in charge, was a credit to the State. The products of farm and factory, mine and mill were displayed to the highest advantage. Our art and educational work, and all the best results of our material prosperity were shown and seen.

To the individual members of the commission, to its labors as a body, and to the disinterested efforts of the executive officer, the thanks of the State government and of the people of Pennsylvania are eminently due.

It is also noteworthy that the entire expenses of this display were kept strictly within the original legislative appropriation.

Section 8, Article IX of the Constitution of Pennsylvania provides that the debt of any municipality shall never exceed seven per cent. upon the assessed value of the taxable property therein, and that no municipality shall incur any new debt or increase its indebtedness to an amount exceeding two per cent. of its valuation without the assent of its electors. The Supreme Court has recently decided that in estimating the debt of any municipality for the purpose of this constitutional provision the amount of its sinking fund may be deducted from its total indebtedness. Under this construction of the law and by an inflation of assessed values, great burdens of indebtedness may be placed upon the municipalities of the Commonwealth. Under the legislation of reckless councils or a spasmodic popular impulse, the money borrowing capacity of a municipality may be exhausted for a temporary purpose and the burthen of debt may be saddled upon unborn generations. I commend to your earnest consideration the necessity for protecting the population of our great municipalities from this great danger.

The appropriation of $10,000 for the work of the Geological Survey Commission, made by the act of 1891, was exhausted in August, 1894, and $1,000 was advanced by individual members, which should be provided for as well as expenses incurred and not yet paid. Volumes I and II of the final report have been printed and issued, and Volume III, the last of the series, partly written, was interrupted by the sickness of Professor Lesley, State geologist.

The great interest of agriculture, such a prime factor in the material prosperity of the State, has received constant and unremitting attention from the State Board. The labors of the Secretary, Mr. Thomas J. Edge, who has had earnest co-operation from many quarters, have tended to stimulate general interest in this most important of the estates of the Commonwealth. Farmers' institutes and gatherings of various kinds have enlisted the attention and awakened the interest of many communities, and the State authorities have accomplished much in the direction of promoting practical scientific agriculture. Much needed legislation to prevent the further spread of tuberculosis among domestic animals, which so narrowly failed of passage last session, from accident and not from any opposition to it or any doubt as to its necessity, should have early attention. The satisfactory experience of suppressing contagious pleuro-pneumonia by similar public regulations gives assurance of the efficiency of this proposed law, which has the endorsement of the highest agriculutral authorities and is demanded for the proper protection of the farmers, stock raisers and dairymen. Thus far the slaughter of infected animals, under previous enactments, has promptly checked the spread of contagious diseases at comparatively slight expense to the State and yet with entire satisfaction in the way of fair compensation to those whose property has been sacrificed for the common good. The State test of artificial fertilizers has worked to the great advantage and protection of those who use them, and has effected enormous savings in ridding the market of some utterly worthless materials formerly imposed upon the agriculturist.

The last General Assembly, by act of May 26, 1893, provided for the appointment of an agent of the State Board of Agriculture, to be known as the "Dairy and Food Commissioner," defined his powers and fixed his salary, but omitted to make any appropriation to meet this salary and other expenses. In order to carry out the purposes of this act, as far as possible in the absence of such an appropriation, Mr. Eastburn Reeder was appointed Commissioner. He entered upon the exercise of his authority and the discharge of his duties. His operations have been supported in some degree by private contributions from the interests protected by his work and in part by fines and penalties collected from offenders against the laws prohibiting or regulating adulteration or imitation of butter, cheese and other dairy products. The Commissioner reports that under existing laws the enforcement of the statute is not self-sustaining. Numerous cases of prosecutions for violations of the anti-oleomargarine laws have occurred, a number of convictions have been had and some fines collected, but the increasing popular feeling against the laws and their enforcement is manifested, and the exact scope of their operation has not yet been finally determined by the Supreme Court.

The question of good public roads, how to make and how to maintain them, keeps pressing to the front as one of the first concerns of local government. The public roads and common schools have long been the chief subjects for the attention of the township. Each has been governed by a separate board and maintained by a distinct, direct tax, and the taxpayers have always had an opportunity to see the results of extravagance and to call to quick account those responsible for it. Experience in many districts has proved the practica-

bility and economy of making a few miles, at least, of good, permanent roadway each year. The saving effected by increased efficiency and by reduced expenses for repairs have demonstrated that it is certainly economy to make and keep up good roads, and a prevailing and well directed local popular sentiment in favor of such public enterprises will generally suffice to secure it. The enormous State appropriation to schools has naturally created some demand for State aid to road improvements. But, as I pointed out in my disapproval of the so-called "road law" of 1891, and in my biennial executive message of 1893, the difficulties in the way of such a proposition are not only the wide differences of opinion as to a fair basis of apportioning State aid, but the vast sums of money required for the State to make any considerable beginning at constructing roads in all the districts of the commonwealth. By providing that the counties and not townships shall bear the original cost of new roads, the law already recognizes that public highways are a concern reaching beyond township, borough or town lines; and certain classes of bridges, too, are of such general use and necessity that their construction is undertaken by counties. So, some public ways, traversing the direct route between principal points of populous centres, are of very general interest and might be required to be of extra width and to be maintained with special care. Some legal provision might be made to put these into control of the counties, upon recommendation of the grand jury, approved by the courts; and certain license taxes now paid to the state might be diverted to the counties to provide specially for the increased cost of improving and maintaining such highways. Well-grounded complaint against the existing laws which permit taxpayers to "work out" their road taxes is steadily increasing. In these days of organization and subdivision of labor this relic of primitive usages

might be profitably abondoned. The time for periodical or spasmodic road mending has passed. The supervisor, with a few permanent hands and improved machinery, can be "on the road" to public advantage at all times, giving his attention wherever and whenever it is needed. The ordinary practical business system of maintaining any other valuable property, subject to expensive "wear and tear" needs to be applied to public roads, and any legislation which can promote this or remove existing obstructions to it merits approval.

The act of June 12, 1893 (P. L., 451), was somewhat of an experiment, intended to permit taxpayers to contract for making the roads at their own expense, paying all the salaries of road officers and preventing the levy of road tax. Novel as this proposition seems, it was acceptable in many districts where single interests have hitherto been compelled to pay onerous road taxes and received inconsiderable return. This law had my approval; it was declared to be unconstitutional by the common pleas court of Luzerne county, but, on appeal, the Supreme Court held otherwise, and in a recent opinion it reversed the lower court and declared the constitutionality of the act to be "not even doubtful." The same opinion is of general importance in defining what is and what is not special and local legislation, repugnant to the constitutional prohibition. The practical operation of this particular road law may be of interest in its bearing upon the general subject of legislation for road improvement.

The experience of other commonwealths which have revised their road laws since the present widely pervading discussion on this subject began, may be studied to advantage. Even a brief abstract of them would be tedious recapitulation here, but they will be accessible to your regular or special committees to whom this whole subject may be referred. Among the timely suggestions which they afford are the require-

ment that all road taxes shall be paid in cash; a regulation that road authorities may procure, by the electoral consent of the taxpayers, this right to borrow money on the public credit for permanent road improvements; county control of certain classes of roads; frontage and adjoining taxes for permanent road improvements along private property specially benefited.

The intelligent interest of the General Assembly of 1893 in the protection and preservation of the forests and timbered wild land of the State led to an appropriation for the purpose by the act of May 23, 1893. The same law empowered the Executive to appoint a commission of two competent persons—one a botanist and the other an engineer—to examine the subject and make report thereon. The State was especially fortunate in being able to secure the services of Mr. William F. Shunk, a most accomplished engineer of long and varied experience. Associated with him, as the other member and botanist of the commission, is J. T. Rothrock, widely known as a most intelligent student and zealous promoter of forestry. Since their appointment they have been most continuously in the field, so far as weather conditions would permit. Individually or as a commission they have visited and traversed Mifflin, Perry, Juniata, Centre, Union, Clinton, Lycoming, Pike, Monroe, Susquehanna, Bradford, Lackawanna, Luzerne, Sullivan, Wyoming, Montour, Northampton, Columbia, Tioga, Potter, Cameron, Elk, McKean, Clearfield, Forest, Warren, Jefferson, Indiana, Cambria, Cumberland, Adams, Fulton and Franklin counties, and they have, as fully as time would permit, studied the forest and hydrographic conditions of each. They report concisely, but significantly, in these words:

"We have found extensive areas of the State depopu-

lated, waste and becoming each year more impoverished, and we have arrived at the profound conviction that unless some counteracting agencies be set at work, the productive capacity of from a sixth to a fourth of the Commonwealth will be most seriously impaired. Between lands stripped of timber and steep hillsides, which have proved unremunerative in agriculture, there exists a vast area, the present tendency of which is to become constantly worse, until no crop can be hoped for from it.

"It is hardly likely that we shall be able personally to cover the State before the expiration of our commissions; nor, indeed, is it required by the act under which we work that we should do so, but we shall have ample facts to indicate the need of prompt and positive action on the part of the State.

"Your commission will endeavor to present, by March 15, a plain, practical report upon the present and prospective forest resources of the Commonwealth, such as may readily be comprehended by our citizens."

Awaiting their more detailed report, I invite your thoughtful attention to the important objects of their appointment, and your liberal provision for any practical measures that may be devised to prevent the ruthless destruction of our forests, to preserve the copiousness and to protect the purity of our sources of water supply.

It is well worth your consideration, too, whether the present commission might not be continued with enlarged or more specific functions looking toward the redemption and conservation of the woodland. The few small tracts of wild land as yet unpatented might be retained as the property of the State. Lands stripped of their timber and sold for taxes might be reverted to the Commonwealth on easy terms. While individual enterprise awaits with impatience the growth of trees, it is beyond sure calculation that the State might save

our timber interests from extinction by measures which would in themselves directly prove actually profitable. Forest preservation for sanitary, as well as economic purposes is a fit subject for consideration; from every point of view it appears that forestry ought to become a portion of the fixed policy of the State. I transmit herewith a partial or preliminary report of the commission and I invite for their recommendation your thoughtful attention.

Four millions of trout and over sixty millions of shad, white fish and pike perch deposited in the waters of the State, not only attest the usefulness of the Fish Commission, but illustrate how the food fish interest predominate over the game element. The commission reports a steady demand for its publications, increasing applications for fish and popular interest in the restocking of our streams. A gain of $1,000,000 per annum in ten years in the Delaware shad product and the sales of lake fish at Erie answers much of the superficial criticism of this branch of the State's administrative work. The preservation of our watershed forests and the protection of the streams from contamination —so essential on grounds stated by the Board of Health—are also valuable aids to fish propogation and protection. Liberal provision for the better wardenship of open streams and the permanent ownership of the hatching grounds near Allentown are recommended.

More stringent measures to preserve the game of the State and to protect what is left of our wooden domain, for cover to fur and feather, should receive your attention. No commonwealth ever degenerated from the indulgence of its people in the manly sports of field and stream.

Contrasted with the annual appropriations of other States, made available for their respective Boards of Health, the $5,000 appropriated by Pennsylvania, with 5,258,014 population and 46,000 square miles of territory, seems very inconsiderable. Especially does this appear from comparison with Massachusetts, which expends $111,300; Texas, $61,000; Illinois, $49,000 and with other of the leading states appropriating sums four and five fold that of our own. The effectiveness of a State Board can, of course, never be rightly measured by operations thus restricted. Happily, we have been spared from the great calamities or sudden emergencies demanding such operations; but if we are to be adequately prepared for contingencies, which are always imminent, the State Board should, by reasonable allowances, be put upon a footing of preparation at least. The lately enacted law providing for borough boards of health has had such general recognition and approval as to justify the recommendation of like legislation for township boards. The collection and arrangement of the vital statistics of the State, the establishment of hospitals for contagious diseases near towns and cities, a State chemical and bacteriological laboratory, are among the subjects of recommendation by the Board. They so intimately concern the well-being of the people as to entitle them to your careful inquiry and intelligent action.

The wisdom of the appropriation by the Legislature of 1893 of $50,000 as an emergency fund for the use of the health authority of the State has been vindicated. Although the amounts expended, in consequence of the floods of 1894, have been but a small portion of the appropriation, it is recommended that before the balance be allowed to lapse into the State Treasury, another and like appropriation be made so as to fully prepare this important department of the State government to meet any emergency which may arise.

The general appropriation bill of 1891 appropriated $1,000 for the payment of the expenses incurred by the commission to select a new location for the Philadelphia quarantine station. A joint resolution of May 21, authorized the Governor to appoint a commission to procure a site for such a station. Other legislation provided for the discontinuance of the old lazaretto in the Delaware river for quarantine purposes. For the time being, it was not deemed expedient to purchase a site, and one was rented and the necessary equipment provided. The change in the organization of the quarantine authorities has worked to the great disadvantage of both the State and its principal port of entry, the city of Philadelphia. Vessels have been relieved from unnecessary detention and other resulting advantages have been secured. The lease of the present property occupied for such purposes expires in July, and the selection of a permanent site and the furnishing of a suitable equipment are necessary to protect the port of Philadelphia from pestilential, contagious and infectious diseases. During the year ending July 1, 1894, 1,572 vessels were examined and permitted up at the State quarantine station; 19,857 immigrants were landed at the port of Philadelphia and 21,889 passengers. Of the $35,000 appropriated by the act of 1893, there were expended $14,898.23.

The operation of the law of 1893, regulating the practice of medicine in this State and prescribing the qualifications of those who should engage in it has been, on the whole, satisfactory to the profession and valuable to the public in protecting the health and lives of our people from imposition and quackery. No legislative device will ever be all-sufficient to protect ignorance and credulity from empiricism; but the legisaltion referred to, which was agreed upon by representatives of the three leading schools of medicine in this State, and which recognized all of them in the

organization of the medical council, was probably the best that could be secured at the time. Experience will doubtless show whatever defects it has, and legislative wisdom and fairness can supply its omissions. The council and examining boards have held satisfactory examinations, impressing restriction and regulation upon a profession whose practice is very close to the vital interests of the public. A more extended trial of the law will doubtless dispel much of whatever popular antagonism to it may remain. It has been suggested that inasmuch as the expenses of a medical education are steadily increasing, it would be only fair for the State to bear the expenses of these examinations, instead of imposing them upon the applicants. The suggestion is worthy of consideration at least.

The operation of the Dental and Pharmaceutical Boards has also been efficacious in promoting a more careful and skillful exercise of those professions, so closely akin to medicine and surgery.

The annual report of the Superintendent of Public Printing and Binding brings the operations of that department to the close of the year ending June 30, 1894. From this it appears that the average cost of printing and supplies of the State government for the past twenty years has been $194,481.58. I renew my former recommendation that the State printing appropriations be guarded by enactments distinctly fixing the amount to be expended by each department, the appropriations to be made in each department for the printing of public documents in a prescribed sum, and these to be paid only upon warrants drawn by the heads of the several departments and vouched and audited by the Auditor General in the usual manner.

I herewith transmit to the General Assembly a communication from the Governor of Ohio, the Hon. William McKinley, enclosing a copy of a joint resolution adopted by the Legislature of that state, relative to the centennial of the conquest of the Indian nations and inviting the State of Pennsylvania to participate in the celebration to be held at Greenville, Ohio, on August 3, 1895. The army which made that conquest was commanded by the very eminent Pennsylvanian, General Anthony Wayne—of fame in the War of the Revolution, and afterwards Commander-in-Chief of all the armies of the United States. Our State furnished also many of the soldiers for the campaign, and it, therefore, seems fitting for it to send representatives to this centennial celebration and to provide for some participation in whatever memorial shall be adopted to perpetuate the memory of this important event and of those conspicuous in its history.

In accordance with the act of June 3, 1893, and out of the appropriation made thereby, the authorities and part of the National Guard of this State participated in the dedication of the monument erected on the Revolutionary battlefield of Trenton, N. J., and a suitable bronze tablet was placed on that monument to commemorate the deeds of the soldiers of the Pennsylvania line who participated in the battle.

Under the act of May 23, I appointed the following named five persons to make inquiry and examine into and make report to the Legislature concerning the erection of suitable tablets to mark the various forts erected as a defense against the Indians by the early

settlers of this Commonwealth, viz: Jay G. Weiser, Middleburg, Snyder county; G. Dallas Albert, Latrobe, Westmoreland county; Henry M. M. Richards, Reading, Berks county; Sheldon Reynolds, Wilkes-Barre, Luzerne county, and John M. Buckalew, Fishing Creek Columbia county. They have performed the purpose of their appointment in an intelligent and satisfactory manner, and their report will be submitted to you for suitable action in accordance with its recommendation.

Under authority of the act of May 30, 1893, I appointed a commission of public spirited and highly qualified citizens to acquire by purchase or condemnation the grounds covering the site of the famous Revolutionary encampment of Valley Forge. A far sighted purpose inspired this patriotic impulse. By no better means can the heroic spirit of a free people be perpetuated than by preserving the memory of their forefathers' sacrifice, suffering and triumph. Glad in the possession of Independence Hall and of the soil on which were fought the battles of Germantown and Brandywine, our Commonwealth has within its limits no shrine more sacred than that which saw the encampment of the American patriots in the darkest hours of their struggle. For obvious reasons, I heartily endorse the proposition of the commission to omit the word "Park" from the title so that the property acquired may be known as "Valley Forge Camp." The condemnation proceedings necessary to procure the lands originally desired, others which ought to be included, and the improvement of the whole, will render essential an additional appropriation. This, I am well assured, is among the worthiest objects which will appeal to the liberality of the Legislature.

During the past two years the Board of Pardons has met regularly at stated times, and with an almost unbroken attendance of all its members. I am fully convinced that every case presented for its consideration has received the earnest attention of the members. In but two instances I have felt constrained to assert and to exercise the Constitutional Executive prerogative of differing from the conclusions and of dissenting from the recommendations of the Board. None the less, I cheerfully bear testimony to their laborious and dispassionate consideration of the merits of every case presented. The people of the Commonwealth have every reason to rejoice that their delicate and important function has been most impartially and intelligently exercised. The statistics of the Board are as follows:

The Board has heard and considered the applications of 159 persons, involving the following crimes:

Abortion, two; adultery, two; aggravated assault and battery, seven; arson, two; assault, two; assault and battery, two; assault with intent to rape, six; breaking and entering storehouse, one; burglary, four; conspiracy, one; desertion, one; embezzlement, six; embracery, one; entering a building with intent to commit a felony, two; escape, one; extortion, one; felonious assault and battery, five; felonious rape, four; forgery, seven; fraudulent election returns, one; horse stealing, two; indecent assault, one; jail breaking, one; keeping a bawdy house, two; keeping a gambling den, three; larceny, twenty-one; larceny as bailee, one; libel, one; lottery, one; malicious entry of freight cars, two; malicious mischief, three; manslaughter, four; murder in the first degree, thirteen; murder in the second degree, seven; negligence of railroad employe, one; obstructing railroad, one; perjury, two; rape, seven; rehypothecation of stocks, etc., one; robbery, eight; selling liquor unlawfully, ten; sodomy and bug-

gery, three; voluntary manslaughter, four; total, one hundred and fifty-nine.

Fifty-four of these persons were recommended for executive clemency. The offenses of which they were convicted were as follows: Abortion, one; adultery, one; aggravated assault and battery, three; assault, one; breaking and entering storehouse, one; burglary, two; embezzlement, one; embracery, one; felonious assault and battery, one; felonious rape, three; forgery, three; horse stealing, one; keeping a bawdy house, one; larceny, eleven; larceny as bailee, one; malicious entry of freight cars, one; manslaughter, three; murder in the first degree, one; murder in the second degree, one; obstructing railroad, one; perjury, two; rape, four; rehypothecation of stock, etc., one; robbery, four; selling liquor unlawfully, one; sodomy and buggery one. Of these fifty-four persons, forty-nine were pardoned, four had their sentences commuted to imprisonment for life; one failed to receive Executive approval, the offense charged in this case being rehypothecation of stocks, etc.

I have heretofore, by public proclamation, announced to the people of the Commonwealth the death, at his home, in Bellefonte, Pa., on the 7th day of October, 1894, of Andrew Gregg Curtin, Governor of the State for six years from 1861 to 1867. He was one of the most distinguished citizens of Pennsylvania. His extended and illustrious public services to the State and to the Federal government, in times of war and in times of peace, had endeared him to its people, and any popular movement to erect a proper memorial to him has my hearty commendation. His death left surviving only one of my predecessors in the executive office.

In the legislative session of 1891, of the acts which were submitted to me for approval, more than two-thirds were on the executive desk after the Legislature adjourned. The same conditions existed in 1893. It is not fair to the Executive, nor to the General Assembly that legislation of a very important character should be hurried through in the turmoil and confusion of the last days of an expiring session. Personally, I would have felt much greater satisfaction in returning to the Legislature, with my reasons for disapproval, such bills as I felt constrained to disapprove, so as to enable the two Houses of the General Assembly to deliberately pass upon the merits of the Executive veto. Necessarily, legislation rushed through at a time when it is admitted on all sides that deliberation ceases and "log-rolling" prevails, must be of a crude and unsatisfactory character, and it is certain to be viewed with suspicion by the Executive authority. I sincerely trust, therefore, that in your deliberations of the present session you will carefully scrutinize, consider and pass upon all measures seriously proposed for the best interests of the State in the early days of the session, leaving my successor ample time before your adjournment to consider the main subjects of legislation which may be submitted for his determination.

In approving the general appropriation bill of June 6, 1893, I excepted several items which met with the Executive veto, not because of any condemnation of their merits, but because they were improperly and unlawfully included in a bill which, by its title, was limited to the ordinary expenses of the State government for the years 1893 and 1894, whereas these items were for deficiencies from former years. They were, therefore, not comprehended within the title of the act, if, indeed, they were not objectionable under the 15th section of the third article of the Constitution. I have

no reason to believe, however, that the bills for which payment was thus sought were not honest obligations of the Commonwealth, which it is its duty to promptly defray. I therefore recommend that promptly, during the present session, you make appropriations adequate to meet the unpaid obligations of the State for past years, for rents due on property occupied by the State officers and any other just debts.

The extreme length to which this communication has been extended by reason of the numerous and varied subjects now comprehended within the administration of the State government, has constrained me to withhold any elaborate discussion of legislative and congresssional apportionment. I can only urge most strenuously upon you the popular and Constitutional demand for a re-districting of the State for Senatorial purposes. The present apportionment, made in 1874 even then inequitable in many features, has become much more so by the shifting population. There is no good reason why the State should not be re-apportioned into Congressional districts of something like equal size and homogenous character. For the considerations which, in my judgment, should control the Legislature in distributing Congressional and Senatorial representation, and for the obvious defects and inequalities of certain schemes which have heretofore received legislative approval, I refer you to my biennial message of 1893. I again invoke for your consideration of this subject "a spirit of fairness and freedom from the spirit of partisanship," and I leave the subject with my earnest protest against any proposition to re-arrange the Congressional and Legislative districts of the State without regard to contiguity of territory, homogeneity of interest and citizenship or equality of population, and against any scheme of judicial re-apportionment, which increases the present number of law judges throughout the State.

In practically taking leave of the General Assembly of the Commonwealth, at a time so near the end of my present term of office, I beg to renew the expression of my high appreciation of many acts of courtesy from individual members of your bodies, and of the generally cordial relations which have existed between the Legislative and the Executive branches of the State government, and between the co-ordinate departments of Executive authority. Divided at times in their party allegiance, it is well for all connected with them to remember that they are alike citizens of a great and noble Commonwealth, the promotion of whose moral and material interests should be the first object of public effort. During the remaining days of my term I will most ardently desire to concur with you in the enactment and enforcement of every measure which has for its object and effect the welfare of Pennsylvania's people and the honor of our State government.

ROBT. E. PATTISON.

To the Senate Nominating George B. Luper, Insurance Commissioner.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, George B. Luper, Meadville, Crawford county, to be Insurance Commissioner, for the term of three years, to compute from May 7, 1894.

ROBT. E. PATTISON.

To the Senate Nominating William H. Egle State Librarian.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, William H. Egle, of the city of Harrisburg, Dauphin county, to be State Librarian, for the term of four years, from the first Monday of February, 1894.

ROBT. E. PATTISON.

To the Senate Nominating Commissioners of the Board of Public Charities.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners of the Board of Public Charities, for the term of five years, from the date set opposite their names, respectively, viz:

J. W. C. O'Neal, Gettysburg, Adams county, July 3, 1893.

George I. McLeod, M. D., Philadelphia, July 3, 1893.

Thos. G. Morton, M. D., Philadelphia, July 3, 1893.

Thomas W. Barlow, Philadelphia, November 9, 1893.

Charles Miller, Franklin, Venango county, from March 26, 1894, until June 19, 1896.

ROBT. E. PATTISON.

To the Senate Nominating Members of the State Board of Health and Vital Statistics.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Board of Health and Vital Statistics, for the term of six years from the date set opposite their names, respectively, viz:

Howard Murphy, C. E., Philadelphia, July 1, 1893.

J. H. McClelland, M. D., Pittsburgh, July 1, 1893.

Richard Y. Cook, Philadelphia, from June 13, 1894, until July 1, 1895.

ROBT. E. PATTISON.

To the Senate Nominating State Fishery Commissioners.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be State Fishery Commissioners, viz:

Henry C. Ford, Philadelphia, for the term of two years, from July 15, 1893.

Henry C. Demuth, Lancaster, Lancaster county, for the term of two years, from July 15, 1893.

John Gay, Greensburg, Westmoreland county, for the term of three years, from July 15, 1893.

Frederick W. Ebel, Harrisburg, Dauphin county, for the term of three years, from July 15, 1893.

Louis Streuber, Erie, Erie county, for the term of three years, from July 15, 1894.

S. B. Stillwell, Scranton, Lackawanna county, for the term of three years, from July 15, 1894.

ROBT. E. PATTISON.

To the Senate Nominating James Young a Member of the State Board of Agriculture.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, James Young, Middletown, Dauphin county, to be a member of the State Board of Agriculture, for the term of three years, to compute from the fourth Wednesday of January, 1894.

ROBT. E. PATTISON.

To the Senate Nominating Managers of the State Industrial Reformatory at Huntingdon.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be managers of the State Industrial Reformatory, at Huntingdon, viz:

Alexander Port, Huntingdon, Huntingdon county, from May 15, 1894, for the term of ten years.

Augustus S. Landis, Hollidaysburg, Blair county, from November 14, 1894, until May 15, 1902.

ROBT. E. PATTISON.

To the Senate Nominating John W. Schall, Brigadier General of the First Brigade of the National Guard.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, John W. Schall, of Norristown, Montgomery county, to be Brigadier General of the First Brigade of the National Guard of Pennsylvania, to rank as such from May 19, 1894, for the term of five years, from May 19, 1894, vice General Robert P. Dechert, deceased.

ROBT. E. PATTISON.

To the Senate Nominating Members of the State Pharmaceutical Examining Board.

Commonwealth of Pennsylvania.
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Pharmaceutical Examining Board, for the term of five years, to compute from the date set opposite their names, respectively, viz:

Henry C. Porter, Towanda, Bradford county, August 12, 1893.

A. J. Tafel, Philadelphia, June 23, 1894.

ROBT. E. PATTISON.

To the Senate Nominating Commissioners for the Promotion of Uniformity of Legislation in the United States.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners for the Promotion of Uniformity of Legislation in the United States, for the term of two years, from the date set opposite their names, respectively, viz:

Charles R. Buckalew, Bloomsburg, Columbia county, May 8, 1893.

Robt. E. Monaghan, West Chester, Chester county. May 8, 1893.

ROBT. E. PATTISON.

To the Senate Nominating Eckley B. Coxe a Member of the Board of Commissioners to Conduct a Geological Survey.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Eckley B. Coxe, Drifton, Luzerne county, to be a member of the Board of Commissions to conduct Geological Survey of the State, during continuance of the work, to compute from January 10, 1894.

ROBT. E. PATTISON.

To the Senate Nominating Members of the Forestry Commission.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Forestry Commission, to

compute from the date set opposite their names, respectively, viz:

J. T. Rothrock, botanist, West Chester, Chester county, June 8, 1893.

William F. Shunk, engineer, Harrisburg, Dauphin county, August 23, 1893.

ROBT. E. PATTISON.

To the Senate Nominating Commissioners of Valley Forge Park.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners of Valley Forge Park, for the term of five years, from the date set opposite their names, respectively, viz:

Francis M. Brooke, Philadelphia, June 8, 1893.

John Cadwalader, Philadelphia, June 8, 1893.

William Wayne, Paoli, Chester county, June 8, 1893.

Henry A. Muhlenberg, Reading, Berks county, June 8, 1893.

Daniel W. Howard, West Chester, Chester county, June 8, 1893.

I. Heston Todd, Port Kennedy, Montgomery county, June 8, 1893.

Frederick Dawson Stone, Germantown, Philadelphia county, June 8, 1893.

Joel J. Bailey, Philadelphia, June 8, 1893.

Chas. C. Harrison, Philadelphia, June 8, 1893.

Samuel S. Hartranft, Norristown, Montgomery county, June 23, 1893.

ROBT. E. PATTISON.

To the Senate Nominating Members of the Board of Medical Examiners Representing the Medical Society of the State of Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Medical Examiners, representing the Medical Society of the State of Pennsylvania, for the term set opposite their names respectively, to compute from March 1, 1894.

Samuel W. Latta, Philadelphia, one year.
J. E. Silliman, Erie, one year.
A. H. Hulshizer, Philadelphia, two years.
W. S. Foster, Pittsburg, two years.
W. J. K. Kline, Greensburg, three years.
Henry Beates, Jr., Philadelphia, three years.
H. G. McCormick, Williamsport, three years.

ROBT. E. PATTISON.

To the Senate Nominating Members of the Board of Medical Examiners Representing the Eclectic Medical Society of the State of Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Medical Examiners representing the Eclectic Medical Society of the State of Pennsylvania, for the term set opposite their names, respectively, to compute from March 1, 1894, viz:

A. B. Woodward, Tunkhannock, one year.
W. H. Blake, Philadelphia, one year.
J. R. Borland, Franklin, two years.
H. B. Piper, Tyrone, two years.
L. P. O'Neale, Mechanicsburg, three years.
Augustus Niles, Wellsboro, three years.
H. Yeagley, Lancaster, three years.

ROBT. E. PATTISON.

To the Senate Nominating Members of the Board of Medical Examiners Representing the Homeopathic Medical Society of the State of Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Medical Exam-

iners, representing the Homeopathic Medical Society of the State of Pennsylvania, for the term set opposite their names respectively, to compute from March 1, 1894, viz:

J. F. Cooper, Allegheny, one year.
Augustus Korndoerfer, Philadelphia, one year.
C. F. Bingaman, Pittsburgh, two years.
Edward Cranch, Erie, two years.
Isaac G. Smedley, Philadelphia, three years.
Hugh Pitcairn, Harrisburg, three years.
C. S. Middleton, Philadelphia, three years.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the State Lunatic Hospital at Harrisburg.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg, for the term of three years, from the date set opposite their names, respectively, viz:

Charles L. Bailey, Harrisburg, Dauphin county, June 16, 1893.

J. Herman Bosler, Carlisle, Cumberland county, June 16, 1893.

Spencer C. Gilbert, Harrisburg, Dauphin county, October 25, 1893.

Samuel Small, York, York county, March 19, 1894.

Horace Keesey, York, York county, March 19, 1894.

Sydenham E. Ancona, Reading, Berks county, from February 28, 1894, until April 7, 1896.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the State Asylum for the Chronic Insane at Wernersville.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named persons to be trustees for the State Asylum for the Chronic Insane of Pennsylvania, located at Wernersville, for the terms set opposite their names, respectively, to compute from February 28, 1894, viz:

William H. Shick, Reading, Berks county, one year.

Arnold Kohn, Philadelphia, one year.

Joseph L. Lemberger, Lebanon, Lebanon county, one year.

Savery Bradley, Philadelphia, two years.

Susan J. Taber, M. D., Norristown, Montgomery county, two years.

Horace Brock, Lebanon, Lebanon county, two years.

George F. Baer, Reading, Berks county, three years.

Thomas P. Merritt, Reading, Berks county, three years.

Henry M. Dechert, Philadelphia, three years.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the State Hospital for the Insane at Danville.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the State Hospital for the Insane, at Danville, for the term of three years, from the date set opposite their names, respectively, viz:

Gideon M. Shoop, Danville, Montour county, June 9, 1893.

Thomas Chalfant, Danville, Montour county, June 9, 1893.

William D. Himmelrich, Lewisburg, Union county, July 1, 1893.

B. H. Throop, Scranton, Lackawanna county, February 24, 1894.

B. H. Detwiler, Williamsport, Lycoming county, February 24, 1894.

D. M. Boyd, Danville, Montour county, February 24, 1894.

Charles S. Minor, Honesdale, Wayne county, February 24, 1894.

Olin F. Harvey, Wilkes-Barre, Luzerne county, February 24, 1894.

E. W. M. Lowe, M. D., from July 24, 1894, until June 9, 1896.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the State Hospital for the Insane at Norristown.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the State Hospital for the Insane at Norristown, for the term of three years, from the date set opposite their names, respectively, viz:

Ellwood M. Corson, Norristown, Montgomery county, September 25, 1893.

Charles Hunsicker, Norristown, Montgomery county, November 15, 1893.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the State Hospital for the Insane at Warren.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the State Hospital for the Insane at Warren, for the term of three years, from the date set opposite their names, respectively, viz:

L. D. Wetmore, Warren, Warren county, June 10, 1893.

W. H. Osterhout, Ridgway, Elk county, June 10, 1893.

S. R. Mason, Mercer, Mercer county, June 10, 1893.

James D. Hancock, Franklin, Venango county, June 10, 1894.

Charles C. Shirk, Erie, Erie county, June 10, 1894.

J. Wilson Greenland, Clarion, Clarion county, June 26, 1894.

ROBT. E. PATTISON.

To the Senate Nominating William A. Marr a Trustee of the State Hospital for Injured Persons of the Anthracite Coal Regions at Ashland.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, William A. Marr, Ashland, Schuylkill county, to be a trustee of the State Hospital for Injured Persons of the Anthracite Coal Region, at Ashland, vice William Lilly, deceased.

ROBT. E. PATTISON.

To the Senate Nominating Richard Townshend Dodson a Trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions at Blossburg.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Richard Townshend Dodson, Arnot, Tioga county, to be a trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Blossburg, vice Philip Williams, deceased.

ROBT. E. PATTISON.

To the Senate Nominating Frank P. Filer a Trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions at Mercer.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Frank P. Filer, to be a trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Mercer, vice C. W. Whistler, resigned.

ROBT. E. PATTISON.

To the Senate Nominating Commissioners to Select a Site and Build an Institution for Feeble-Minded Children of Western Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be commissioners to select a site and build an institution for the accommodation of the feeble minded children of Western Pennsylvania, viz:

Christopher Heydrick, Franklin, Venango county, June 5, 1893.

Norman Hall, Sharon, Mercer county, June 5, 1893.

George A. Jenks, Brookville, Jefferson county, June 5, 1893.

George W. Guthrie, Pittsburg, Allegheny county, June 5, 1893.

W. Horace Rose, Johnstown, Cambria county, June 5, 1893.

ROBT. E. PATTISON.

To the Senate Nominating Trustees of the Home for the Training in Speech of Deaf Children Before they are of School Age, Located at Philadelphia.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 1, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named persons to be trustees of the Home for the Training in Speech

of Deaf Children before they are of School Age, located at Philadelphia, for the term set opposite their names, respectively, to compute from July 14, 1893, viz:

S. Edwin Megargee, Philadelphia, three years.

Miss Mary S. Garrett, Chester, Delaware county, five years.

Mrs. Eleanor S. Barker, Philadelphia, four years.

Alfred C. Tevis, Haverford, Montgomery county, two years.

J. B. Showalter, M. D., for the term of five years, from July 14, 1894.

ROBT. E. PATTISON.

To the Assembly Transmitting a Resolution of the Legislature of Ohio Concerning the Centennial of the Conquest of the Indian Nations.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, January 1, 1895.

Gentlemen:—

I HAVE THE HONOR TO SUBMIT FOR YOUR consideration a copy of a communication received from Hon. William McKinley, Governor of the state of Ohio, with a copy of a joint resolution adopted by the General Assembly of that state, relative to the centennial of the Conquest of the Indian Nations.

ROBT. E. PATTISON.

State of Ohio,
Executive Department,
Office of the Governor,
Columbus, June 18, 1894.

My Dear Sir: I have the honor to forward you a copy of a joint resolution adopted by the General Assembly of Ohio, March 22, 1893, relative to the centennial of the Conquest of the Indian Nations. Your attention is respectfully directed to the last paragraph of the resolution. Pursuant thereto, I take great pleasure in cordially inviting through you, as Governor, the State of Pennsylvania, to participate in the celebration to be held at Greenville, Ohio, on August 3, 1895. I also invite your State to prepare such a tablet or other memorial structure as may be desired by your State to be erected.

I sincerely trust that your State will take official action in response to this invitation.

I am, very truly yours,

W. McKINLEY.

Hon. Robert E. Pattison, Governor of Pennsylvania, Harrisburg, Pa.

JOINT RESOLUTION RELATIVE TO THE CENTENNIAL OF THE CONQUEST OF THE INDIAN NATIONS.

Whereas, The year 1895 marks the centennial epoch of the Conquest of the Indian Nations and the establishment of peace in the territory now comprised in the State of Ohio and adjacent country northwest of the Ohio river; and

Whereas, Said conquest was made by the army under command of General Anthony Wayne, a gallant and meritorious soldier in the war of the Revolution and the Indian wars, the battle of Fallen Timbers, on the Maumee river, August 20, 1794, completing the chain of victories, and subduing the Indian tribes; and

Whereas, The treaty of peace, made on the 3d day of August, 1795, at Fort Greenville (built on the site of Greenville, Ohio), by General Wayne, on behalf of the United States, and various Indian nations, occupying the territory northwest of the Ohio river, was of national importance, and established peace and permitted the extension of American settlements therein; therefore, be it

Resolved by the General Assembly of the State of Ohio, That steps be taken to properly observe the one hundredth anniversary of this important event in the history of our western country.

Resolved, That the United States government should erect a suitable memorial structure on the site of Fort Greenville, to perpetuate the memory of Gen. Anthony Wayne and his gallant army, and that our Senators and Representatives in Congress be requested, through the Governor, to secure such a memorial; that to accomplish the intent of this resolution, the Ohio Archaeological and Historical Society is hereby authorized and directed to take the necessary steps to secure a suitable centennial celebration at Greenville, Ohio, on August 3, 1895, and to obtain, if possible, through Congress, such a memorial as will fittingly and appropriately perpetuate the centennial of this important event and those conspicuous in its history.

Resolved, That the Governor of Ohio be authorized to invite, on behalf of this state, the States of Pennsylvania, Virginia and Kentucky, which states furnished most of the soldiers in the campaign of 1794, and to send representatives to participate in such celebration; and also the states of Indiana, Illinois, Michigan, Wisconsin and Minnesota, which states, with Ohio, comprised the territory northwest of the Ohio river, to send representatives to this centennial, and to invite said states to prepare such tablets or other mementoes for such memorial structure as they may desire.

Adopted March 22, 1893.

To the Assembly Transmitting the Report of the Commission to locate the Position of Pennsylvania Regiments and Batteries Participating in the Battles of Chickamauga and Chattanooga, Including Lookout Mountain and Missionary Ridge.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, January 9, 1895.

Gentlemen:—

DURING THE PAST SUMMER, AT THE REquest of the Commissioners of the Chickamauga and Chattanooga National Military Park, supplemented by the urgent solicitation of many veterans

of Pennsylvania, I appointed a commission from representatives of the several Pennsylvania regiments which participated in the battles of Chickamauga and Chattanooga, to act in conjunction with the said National Commission in correctly locating the positions occupied by regiments and batteries from this State, in the battles aforesaid, including Lookout Mountain and Missionary Ridge, and now have the honor to submit herewith a copy of the report of said commission, relative to the work done by them.

Your careful consideration of the suggestions made therein is hereby invoked, to the end that the patriotic services rendered by Pennsylvania troops in those memorable engagements, may be fittingly and permanently perpetuated.

ROBT. E. PATTISON.

Pittsburgh, Pa., Dec. 5, 1894.

To His Excellency Robert E. Pattison, Governor:

Sir: I have the honor to report that the delegates commissioned by you "to co-operate with the Commissioners of the Chickamauga and Chattanooga National Military Park in correctly locating the positions of regiments and batteries from the Commonwealth of Pennsylvania, participating in the battles of Chickamauga and Chattanooga, including Lookout Mountain and Missionary Ridge," met at the capitol building, in Harrisburg, May 15, 1894. Your Excellency being in attendance at the funeral of our comrade General Robert P. Dechert, in Philadelphia, your Secretary, Humphrey D. Tate, Esq., welcomed us in your name, in an eloquent and patriotic address.

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The committee to confer with the National Commissioners having reported a conference and an agreement to meet on the battlefields, commencing September 19, 1894, I issued a call for the assembling of the delegation at the Read House, Chattonooga, September 19, 1894, at 9 a. m.

At the appointed time and place delegates from all the Pennsylvania organizations participating in the battle of Chickamauga and the battles about Chattanooga appeared, the Rev. J. Thompson Gibson acting as secretary, by election, in the absence of Captain Waltman.

We were met by Gen. J. S. Fullerton, president, and Gen. H. V. Boynton, secretary of the National Commission, with their engineers, and together visited, examined, ascertained and officially marked the positions of the Pennsylvania troops participating in the battles of Chickamauga, Wauhatchie, Brown's Ferry, Orchard Knob, Lookout Mountain and Missionary Ridge.

Our work was completed within the week to the entire satisfaction of all our delegates as well as of the National Commissioners.

The days were spent on the battlefields and a general meeting was held each evening in the parlors of the Read House, at which the delegates from the respective organizations reported to the whole delegation, and at the last general meeting thus held, it was resolved that the president of the commission should prepare and forward to your Excellency a report of the work of the Pennsylvania commission, with information and recommendations which alike impressed every member of the delegation.

We were amazed at the scope, extent, magnitude and completeness of the National Military Park. From what we saw and learned there, it is evident that at least New York, Ohio, Indiana, Illinois, Wisconsin, Iowa and Minnesota will have monuments on these fields for each regiment and battery from those states, indeed many of them are already there, stately, grand, beautiful.

We therefore recommend that steps be taken to provide suitable monuments for the organizations from our own State. It was not a choice, but the exigencies of war, which separated us and our comrades, living and dead, from the great body of the troops from our State, and gave us the rugged mountains of Georgia and Tennessee for battlefields.

All these fields are now under the control and care of the government of the United States, and will so remain.

In September, 1895, the government will formally open and inaugurate this park of historic battlefields.

The inauguration of the park will call our people from all parts of the nation, North and South.

All the states named, including the regulars, seem determined to have their monuments completed, as far as possible, for the inauguration.

Our Committee on Legislation, composed of men whose military services brought renown to the Commonwealth, and whose records as statesmen and citizens command the respect and

confidence of all our people, will formulate and submit to the General Assembly, bills for Legislative action, with the view of carrying out the recommendations herein named.

Respectfully submitted,

(Signed) ARCHIBALD BLAKELY,
President Pennsylvania Delegation.

To the Assembly Transmitting the Report of the Commissioners to Inquire and Examine into the Advisability of Erecting Tablets Marking the Forts Used as a Defense Against the Indians by the Early Settlers of the State Prior to 1783.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, January 9, 1895.

Gentlemen:—

I HAVE THE HONOR HEREWITH TO SUBMIT the report of the commissioners appointed by me, in accordance with the act of 23d May, 1893, "authorizing the Governor of this Commonwealth to appoint five persons to make inquiry and examine the and make report to the next session of this Legislature, at its next regular session, the advisability of erecting suitable tablets, marking the various forts erected as a defense against the Indians by the early settlers of this Commonwealth prior to the year 1783," and invoke for their suggestions and recommendations your careful consideration.

ROBT. E. PATTISON.

To the Senate and House of Representatives of the General Assembly of Pennsylvania:

Gentlemen: An act of the General Assembly, approved the 23d day of May, A. D. 1893, recites:

"That on and after thirty days from the passage of this act, the Governor of this Comomnwealth is hereby authorized and required to appoint five persons to make inquiry in relation to the various forts erected by the early settlers of this Common-

wealth prior to the year 1783, as a defense against the Indians. Said five persons are hereby authorized to make inquiry and examination as to the number and location of said forts, and the propriety of erecting tablets to mark said forts, and do such things as they may deem best to carry out the provisions of this act, and make report to the next regular session of the Legislature of this Commonwealth within thirty days after it shall convene."

In conformity with this act his Excellency, Governor Robert E. Pattison, appointed the following gentlemen as members of said commission:

John M. Buckalew, of Fishing Creek, Columbia county.
Sheldon Reynolds, of Wilkes-Barre.
H. M. M. Richards, of Reading.
Geo. Dallas Albert, of Latrobe.
Jay G. Weiser, of Middleburg.

Who duly organized by the election of Mr. Buckalew as chairman and Mr. Reynolds as secretary.

In view of the magnitude of the work to be performed, necessitating the search for and exact location of each defense specified in the act of assembly, which, in many instances, had never been given heretofore, and, in others, only with partial correctness, and also necessitating a compilation of the history of each fort to indicate the importance of the part it took in the scenes transpiring about it; and also in view of the great amount of territory embraced, it was deemed advisable to divide the entire State into five districts, to be assigned the various members of the commission for individual research and action. These districts were allotted as follows:

I. Mr. Richards: The territory bounded on the north by the forty-first degree north latitude, on the west by the North Branch and main river of the Susquehanna; on the south by State line; on the east by Delaware river. Fort Hyndshaw was later added and forts McKee and Halifax assigned Mr. Weiser.

II. Mr. Reynolds: The territory bounded on the south by the forty-first degree north latitude; on the east by Delaware river; on the north by New York state line; on the west by western boundary of Luzerne and Sullivan counties; Fort Hyndshaw was later assigned Mr. Richards.

III. Mr. Weiser: The territory bounded on the north by the forty-first degree north latitude; on the east by West Branch and main river of Susquehanna; on the West by Allegheny mountains; on the south by State line. Forts McKee and Halifax were added later.

IV. Mr. Buckalew: The territory bounded on the east by that of Mr. Reynolds; on the south by those of Mr. Richards and Mr. Weiser; on the north by the New York state line; on the West by the Allegheny mountains. The history and location of Fort Augusta was, in addition, undertaken by Mr. Buckalew as chairman of the entire commission.

V. Mr. Albert: the territory lying west of the Allegheny mountains.

The individual reports of the members, covering their respective districts as above, are appended hereto, in their entirety, forming the report of the whole commission, in so far as it applies to that part of the duty assigned it which embraces the location and history of the various forts in use prior to the year 1783.

With regard to the erection of tablets to mark the several locations of the various places of defense covered by the act, the commission is unanimously of the opinion:

I. That as the deeds of our forefathers, in their wars of defense against the Indian, and the history of this Commonwealth during that dark period, may well command our admiration and fill us with feelings of pride, so their record should be preserved for all ages.

II. That in many instances, such record of these events and localities is fast passing into oblivion and will be soon forgotten, unless immediate steps are taken for its preservation.

III. That the publication and distribution of mere written history, whilst excellent in itself, is not sufficient for the purpose of exact and permanent location nor as a means of general education, neither does it serve to arouse such a widespread and lasting interest in its subject as would be desirable.

The commission therefore begs to recommend:

I. That a marker be placed at each of the defenses enumerated in the within report, whose location has been ascertained with sufficient accuracy and definiteness.

II. That the markers, when supplied by the State, be all of a similar character, to consist, wherever practicable, of a substantial rough boulder of stone, having one face sufficiently polished to allow of an inscription, giving the name of the fort, when built, for what purpose used, and its exact location.

III. That these markers be placed, as a rule, by the side of a public road, in a prominent position, as near as possible to the side of the defense which they are intended to perpetuate, no tablet to be erected on private property, unless previously deeded to the Commonwealth.

IV. That a sum of money, not exceeding three hundred dollars, be appropriated for each defense, in accordance with the above recommendation.

In explanation of the recommendation to appropriate an equal amount of money for each place of defense, your commission would state that, whilst sundry forts were undoubtedly larger and apparently more important than others, yet, in many instances, some of the smaller defenses filled very important niches in the history of their times. It would be exceedingly difficult to make comparisons and reach conclusions which, after all, might only be sources of discontent to those of our citizens who would consider themselves and their neighborhood unfairly judged and ill-treated. It was, therefore, deemed advisable that the State itself should make an equal appropriation in each instance, sufficient, however, for the purpose intended, which might be increased, by such localities as desired a more imposing monument or marker, at their pleasure.

In conclusion, we beg to say that we are under obligations to many different individuals for aid and information, freely and cheerfully given. The only reward desired by these persons, is the gift of a copy of our report when published. We would, therefore, respectfully request that each member of the commission be allotted one hundred copies of said report for such distribution.

JNO. M. BUCKALEW,
Chairman.
H. M. M. RICHARDS,
Secretary pro tem.
G. DALLAS ALBERT,
JAY GILFILLAN WEISER.

Owing to the serious illness of Mr. Sheldon Reynolds, he has been unable to be present and affix his signature.

To the Assembly Transmitting the Report of the Commissioners to Assist the United States Antietam Board in Locating the Positions of Pennsylvania Regiments and Batteries in the Battle of Antietam.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, January 9, 1895.

Gentlemen:—

DURING THE PAST YEAR, AT THE REQUEST of the United States Antietam Battlefield Board, supplemented by the urgent solicitation of many veterans of Pennsylvania, I appointed a commission from representatives of the several Pennsylvania regiments which participated in the battle of Antietam, to assist the United States Antietam Board in correctly locating the positions occupied by regiments and batteries from this State, in the battle aforesaid, and now have the honor to submit to you a copy of the report of said commission, relative to the work done by them.

Your careful consideration of the suggestion made therein is hereby invoked, to the end that the patriotic services rendered by Pennsylvania troops in that memorable engagement, may be fittingly and permanently perpetuated.

ROBT. E. PATTISON.

Harrisburg, Pa.,
December 29, 1894.

To His Excellency, Robert E. Pattison, Governor:

Sir: I have the honor to report that the delegates commissioned by you "to accompany the Antietam Battlefield Board to the Antietam Battlefield, for the purpose of assisting said Board to correctly locate the positions of the organizations from this State that participated in said battle," met at Sharpsburg, Md., October 10, 1894.

* * * * * * * * * * *

The meeting was held at 2 p. m., in the Memorial Lutheran

Chuch, kindly placed at our service, and upwards of seventy-five delegates responded to the call of the roll.

After the organization was effected, the members of the National Board, Major George B. Davis, General H. Meth and General E. A. Carman, being present, were called upon for information. Major Davis fully outlined what was required of the commission and asked to meet the delegates upon the field where the members of the National Board would individually assist in completing the work in hand.

A resolution was adopted calling for reports from each regimental organization to the vice presidents of the respective corps. These in turn to report to the president. Adjourned to meet at the call of the president.

The members of the National Board were met on the field, at the Dunker church, at 4 o'clock and spent the balance of the day, and all of the next, in locating and officially marking the positions occupied by the Pennsylvania troops in the battle. The work was completed and locations made with a unanimity that was remarkable considering the changes ensuing after a lapse of thirty-two years from the time of the battle.

It was deemed important to give attention to marking the place near where General Mansfield was killed or mortally wounded. Several delegates were present who witnessed and were familiar with the incident, and all agree upon the location which was marked.

The main object of the commission appointed by you being to locate positions to be marked by the United States government, for the purpose of defining the battle lines, the question of placing Antietam Battlefield on a plane with Gettysburg, Chattanooga, Chickamauga and Pittsburg Landing, naturally follows.

I would therefore recommend that a special commission be appointed for the purpose of taking into consideration the question of suitably marking the positions occupied by the different Pennsylvania regiments with monuments, and take measures to secure the field for all time as a National Memorial Park. Pennsylvania, with her organizations engaged in this greatest one day's fight of the war, and waged on her borders, should be among the first to lead in this matter.

A committee will formulate and submit to the General Assembly, a bill covering these recommendations.

(Signed) W. W. GREENLAND,
President.
W. C. ARMOR,
Secretary.

Daniel A. Hastings

DANIEL HARTMAN HASTINGS,

Governor of the Commonwealth,

1895-1899.

Chapter II.

DANIEL HARTMAN HASTINGS,

Governor of the Commonwealth.

1895-1899.

KNOWLEDGE IS NOT NECESSARILY THE RESULT of schooling, for the history of the State has shown not a few Chief Magistrates who have received knowledge by giving rein unassisted to their own inborn thirst for learning. General Hastings, however, is an example rather of that polished and well-rounded culture due to the utilization of the best advantages by an active and receptive mind. Born of Scotch-Irish parentage in Centre county, he became a teacher before he was fifteen years of age. In 1867 he went to Bellefonte as Principal of the Academy, and later was Superintendent of the Schools of that borough. He continued in that position for seven years, pursuing meanwhile the studies of a college curriculum, under the direction of Professor Murray, a graduate of Union College. In 1895 his learning and public services were recognized by the bestowal of the degree of LL.D., by Dickinson College. He was engaged for several years as editor of the Bellefonte Republican, a

position which he filled with conspicuous success. In 1875 he was admitted to the bar of Centre county, and was employed actively in the practice of law until in 1888 he became interested in the development of the bituminous coal industry in Cambria county. His company opened extensive mines there and founded the towns of Hastings and Spangler.

Too young to be an active participant in the War of the Rebellion, Governor Hastings was always interested in military affairs, and in 1877 he became a Captain in the National Guard, becoming in succession Lieutenant Colonel of the 5th Infantry and Assistant Adjutant General of the 2d Brigade, then commanded by General Beaver. In 1884, he was commissioned Colonel of the 5th Infantry, which he commanded until he was appointed Adjutant General of the Commonwealth upon the accession of General Beaver to the Governorship. His work in connection with the Johnstown flood in 1889, demonstrated his superb administrative ability. The relief extended by and through him will long remain as one of the most creditable and graceful episodes of his life.

In 1878, General Hastings conducted the Congressional campaign of his law partner, Seth H. Yocum, with such masterly ability that he was successful in a strongly Democratic district. In the Republican State Convention of 1886, he made the nominating speech in behalf of General Beaver, and in the National

Republican Convention of Chicago, in 1888, he won a national reputation for oratory by a speech nominating John Sherman of Ohio for the Presidency. In 1896, he was again a delegate to the National Republican Convention, at St. Louis, and made a speech placing Matthew Stanley Quay of Pennsylvania in nomination for the Presidency.

In 1890, General Hastings was a candidate for the nomination for Governor, but was defeated in the convention by eleven votes. Four years later, however, he was enthusiastically and unanimously nominated and after a hard-fought campaign was elected by no less than 241,000 majority. His administration was particularly marked by the careful and conscientious attention which he devoted to legislation. Convinced of the necessity for economy—especially after the destruction of the Capitol by fire in 1897—and unalterably opposed to measures for personal ends, his vetoes were frequent and courageous and directed not only to bills originating with the opposition, but with his own party.

Upon the expiration of his term of office Governor Hastings retired to his home in Bellefonte and devoted himself to the many important personal interests which had grown up around him. His gubernatorial term comprised the period from January 15, 1895, to January 17, 1899.

Speech Before the Pennsylvania Republican Convention in 1887, Naming General James Addams Beaver for the Nomination for Governor of the State.

Mr. Chairman:—

THE REPUBLICAN PARTY OF PENNSYLVANIA, with its effective organization and in devotion to principles so long espoused, in unity of action and in cordial harmony of purpose, was never more effectively equipped or in better condition to enter upon a successful campaign than for that to be this day inaugurated. The honest differences of other years have crystalized the aims and purposes, have justified the hopes, have blotted out the animosities and forever reunited that splendid army of Republicans of which this Convention is the chosen representative.

The name of him whom I will nominate to you this day for the office of Chief Magistrate needs no introduction. His career, his character, his manhood and his achievements have become a part of the history of the State, and the people know him by heart.

This convention comes to the performance of its duties, well recognizing that the campaign before us finds the enemy entrenched in the seats of power in the Federal as well as State Government, with the power of patronage, the prestige of victory in the recent Presidential conflict and an increasing appetite for office to give it encouragement. But the Republican rank and file of the whole State, with wonderful unanimity, have given voice to their preference for a standard bearer. An honest and patriotic party demands a pure and brave man, a man who will appeal to the brightest hopes and noblest traditions of the party; a man whose name will stand for its integrity and manhood; a man who will follow the path of duty with fearless devotion regardless of self or consequences; a

man who will execute the laws and vindicate the honor of the State; a man whose very personality will be

"A sword in the hands of honest freemen,
Wherewith to drive from place and power"

a party which, for nearly four years, has held the reins of State government by fortuitous circumstances and against the honest wish and true desire of the sovereigns of the Commonwealth.

They who desire his nomination at your hands come from every honorable walk in life and from every county in the State. The men whose interests are now languishing in unfortunate disputes between capital and labor, believe that in him will be found an executive who will alike protect and defend them both, as they unite and go forward hand in hand to build up our prosperity and develop our untold wealth.

The honest, independent voter who believes in homely honesty, who has an intelligent appreciation of Republican Government, and who has the courage of his convictions, well knows the fearless character, the clear judgment, the keen sympathy and the manly courage, which none dare question, of him who is their choice.

His comrades who wear the "metal star" upon their breasts; they who saw the hole torn across the row of buttons upon his coat while leading his command at Chancellorsville; who were by his side when he fell at Cold Harbor; who saw him blown into the air at Petersburg; and they who followed him two and twenty years ago and saw the flash of his sword when, at Ream's Station, he fell bleeding, marred and maimed, never more to tread the earth without the aid of his inseparable friend, that well-known crutch; these are some of the men—kindred heroes—who would have you honor him to-day.

And thousands of others all over this broad Commonwealth who know his worth and believe in his Re-

publicanism; who in many campaigns have heard him give expression to the noblest inspirations of their cause; who beheld the shafts and arrows aimed at him lie broken at his feet; who saw him suffer defeat in civil life with the same courage that characterized him on the field of battle, have made him their choice.

And thousands more of good men and true, who beheld him coming forth from the fiery tempest of 1882, all glorious in his conscious manhood, with the broken banner of his party in his hand willing to suffer that it might be purified, disenthralled and reunited—all these I know will second the nomination which I now make of General James A. Beaver for the Office of Governor of Pennsylvania.

Speech Before the Republican National Convention at Chicago in 1888 Naming Senator John Sherman of Ohio as a Candidate for the Nomination for President of the United States.

Mr. Chairman and Gentlemen of the Convention:

PENNSYLVANIA IS OPPOSED TO GROVER Cleveland and to a continuance of his administration. Her electoral vote will be cast for the nominees of this Convention.

Pennsylvania has never faltered in her devotion to Republican principles and will not falter now. Her metropolis was the cradle of American Liberty; and the Republican party's birth and baptism were both on Pennsylvania's soil. With her, the fundamental and elementary principles of Republicanism have always been held sacred as the charter of her liberties and the memory of her dead soldiers. Of this her majorities are proof—majorities, unequaled in the sisterhood of states, cast for Lincoln, for Grant, for Garfield and for her beloved son, James G. Blaine.

Pennsylvania comes to this Convention with a majority of her delegation asking you to name a standard bearer who will represent the principles, the traditions, the brightest hopes and aspirations of the Republican party; a man whose name will stand for its integrity, its doctrines and its matchless history; a man who will execute the laws, protect the interests, and vindicate the honor of the nation; a man whose very personality will be

"A sword in the hands of honest freedom,
Wherewith to drive from place and power"

a party which holds the reins of government by fortuitous circumstances and against the best interests and true intent of a majority of the nations sovereigns.

This Convention recognizes that the campaign before us finds the common enemy entrenched in the seats of national power; with the prestige of victory, the support of the solid South, the lever of public patronage, and an increasing appetite for office, to give it encouragement.

But the country is tired of shame, double dealing and hypocrisy. We have seen a Chief Executive who proclaimed his belief that the presidential office should be limited to a single term, eagerly clutching at the nomination for a second. His promised reforms of the Civil Service have resulted in the prostitution of his great office, for the narrowest of partisan purposes. Professing sympathy for the welfare of wage-earners and established industries, he has forced upon his party a policy which if successful would be ruinous alike to both. Forbidding political activity in his subordinates, he has allowed them everywhere to use the public service for the advancement of his personal aggrandizement. He has inaugurated and fostered a diplomatic policy, hostile to the interests and the dignity of the American people.

He whom I will nominate to you needs no introduc-

tion. His career, his character, his manhood and his illustrious achievements are a part of the Nation's history. The people know him by heart.

They whom I represent and who ask his nomination at your hands, point you to a grand career, beginning with those patriots, who rocked the cradle of Republicanism; to a man who has been in the forefront of every battle of his party; who has been its counselor, its champion, its strong right arm; whose name is a power of strength, and who never was defeated for any office for which he was nominated. His name is John Sherman, of Ohio.

Those who believe that he who has rendered the most and the best public service, is entitled to consideration; who believe that experience in statesmanship is a prerequisite to high public preferment; that it is not a disqualification to have actively and honorably participated in a generation of thrilling and stupendous events—events more vital to humanity and liberty than were ever crowded into an equal period of the world's history; who have seen the danger and folly of placing inexperience and mediocrity in high places, have made him their choice.

The freemen, waiting for the welcome day when there will be no longer a solid South; the true soldiers of both sides who bravely and loyally accepted the results of war; they who are waiting for the dawn of that new day when the right of suffrage dare not be denied to any man, white or black; when honest elections shall triumph over intimidations and tissue ballots; and a purified franchise shall "preserve the jewel of liberty in the household of its friends;" they who are still waiting until the true gospel of protection to man and to the fruits of his toil shall be preached in myriad school houses, south of that political equator called Mason and Dixon's line; waiting for the infusion of that thrift which brings from mountain and valley the

blessings of comfort, refinement and patriotism, that industry which opens new and profitable channels of trade and commerce; which builds railroads running north and south, as well as east and west; which recognizes political meridians of longitude as well as parallels of latitude—all these have found in him their consistent friend and steadfast champion.

That grand army of men who followed Grant and Sherman and Sheridan, the widows and orphans of their comrades, and thousands who believe a soldier's honorable discharge is no disqualification in civil life, and thousands more who love their country and those who serve it, will welcome him as their choice. They who deserve well of their country, who believe the English language so copious that an hundred pension vetoes may be written without insulting patriotism and loyalty, will rally to his standard. Sherman was the soldier's friend in war and he has been their constant friend in peace. He stood, by the side of Lincoln and the Army, from the first days of Sumpter until another Sherman marched from Atlanta to the sea, and peace came on golden wings.

War and finance comprise much of the history of nations. A people who gave a million soldiers to the Republic, found the men to sustain them and their country's credit in the darkest hours. Our financial policy was as victorious as our armies. Its inspiration, responding to every need of war, proved equal to every demand of patriotism, until at last, hand in hand, peace and prosperity, twin children of liberty, gladdened the hearts of a re-united people. The statesmanship of resumption, his crowning success, unequaled in any time or country, has placed John Sherman's name upon the lips of gratitude throughout the land.

Do you want his record? Read the history and statutes of the country for the last thirty years! A broken Union restored and made stronger; a race of

men emancipated; a system of free public schools extended to every state; a bonded debt—the price of a nation's life, reduced from over $2,200,000,000 to less than $1,100,000,000; the annual burden of interest reduced over $150,000,000 to less than $50,000,000; a public credit made firm as the everlasting hills; a system of protection to American industries embedded in legislation and consistently supported as a wise public policy. These are a few of the great achievements of the Republican party, and while every other candidate before this Convention has contributed a full share of honorable patriotic and meritorious service, no man has become, of the whole splendid record, a more inseparable part than John Sherman. He will not need an introduction to the members of his future cabinet!

My countrymen, the central issue of this campaign is an American policy for American people at home and abroad. Before it, all else sinks to insignificance. What matter if secession and slavery are gone forever? the world? It is the achievement of Republicanism. What matter is secession and slavery are gone forever? They were washed away in Union blood. What matter if questions of reconstruction, of National credit and public faith have been resolved in favor of the right? They are stars in the party's crown. What matter, if increasing pensions make grateful hearts and smooth the pathways of the nation's brave defenders? Every dollar of it bears the stamp of Republican approval. What matters it, if Republican honesty and foresight swelled the Federal treasury wherewith to liquidate a National debt? No question of surplus should arise until that debt be paid. But, it is of supremest moment that the toiling millions, the bone and sinew of the land, shall not, by shuffling cant or sentimental fallacy be made victims of that false system of political economy which tends to beggary. We

welcome the issue—protection or free trade! Let it come squarely.

Let the sovereign freemen, in the next election, say whether the only Republic, founded on the rock of freedom, blessed with every gift of nature, crowned with imperial powers, enriched by willing hands of honest toil; peaceful, prosperous and homogeneous, shall be dethroned, degraded, pauperized, by a party and a policy at war with the very genius of our National existence.

"With malice towards none, with charity for all," let the battle lines which once ran east and west, be now formed from North to South, advancing to the seaboard; there to protect the homes and firesides, the peace and prosperity of the Nation; and let him who has served to long, so ably and so faithfully, let John Sherman be placed in command of the victorious column.

Make him our standard bearer, and every principle for which the party has battled, every triumph it has achieved, will be represented in our leader. Nominate him, and there will be no sophistry, no fallacy, so plausable as to divert the intelligence and common sense of the people from the vital issue. Give him the nomination, and a sense of security, of safety, of confidence in the future, will crystalize into triumphant victory.

Inaugural Address to the Assembly.

Gentlemen of the Senate and House of Representatives and Fellow Citizens:

OUR CONSTITUTION REQUIRES THAT THE chief Executive of the Commonwealth "shall take care that the laws be faithfully executed." Having been entrusted by the people of Pennsylvania

with the administration of that office for the next four years. I have in your presence taken upon myself the prescribed oath of office. Profoundly impressed with the responsibility of the new relation which I sustain to all the people of the Commonwealth, I ask their help in the performance of my duties, while I will constantly rely upon the Supreme Ruler for strength and guidance.

Not unmindful of the unprecedented vote of confidence given by the electors, I should be guilty of insincerity if I did not now express my great appreciation of the unusual honor and I should be lacking in the qualities that belong to manly gratitude if this did not strengthen every purpose of mind and heart to the end that the confidence prove not to be misplaced. At the same time I fully recognize the truth that honest differences of judgment on public questions and candidates constitute one of the essential safeguards of free government, and demand of the successful competitor that unqualified recognition of the constitutional and legal rights of every citizen which is above partisanship.

The recent election disclosed on the part of the electors a gratifying and unusual desire for the intelligent discussion and determination of principles and issues, and a purpose to exclude from the campaign that element of personal abuse and vituperation which excites prejudice, inflames passion and misguides the judgment. The high standard set and maintained by the distinguished leader of the party opposed to my election has demonstrated not only the feasibility, but also the wisdom of making elections record the public will, freed from all influences which pervert patriotic judgment.

The people of the State and of the country are now happily emerging from the period of financial and industrial embarrassment which has wrought great in-

jury and distress among all branches of industry and employment. Two political revolutions have taken place within two years that severely tested the stability of the form of government under which we live. From both, the country has come forth stronger and grander, and the people, with more confidence in the future of our political institutions. A great body of legislation which, during a constructive growth of thirty years, has become almost a part of our organic system, was apparently overturned in the results of a single election. Two years later a far more emphatic and decisive revolution of public judgment restored the principle of American protection. It may be safely declared, as a sequence, that the wage earning people of the United States, while willing that the contentions and competitions of supply and demand in this country may fix the wage rate here, will never permit that wage rate to be reduced by any legislation that involves competition from those who are not their political equal. While the American wage rate is almost as distinctive a feature of our national system as our Declaration of Independence or our flag, and protection to our own industries a settled conviction of our people, yet conservative judgment will always demand that legislation upon this subject be of such a character as will be just to all sections of our common country, all industries and occupations, and that with changing conditions, the schedules of protective rates shall be so modified as to prevent monopoly or oppression of any class of our people by the power of aggregated wealth.

I venture the opinion and the hope that, with returning confidence as to the future, we are gradually entering upon a period of encouraging and healthy business restoration. With this thought in view, the trend of our legislation should be in sympathy with every effort looking to the advancement of all the industrial,

material and commercial interests within the borders of the State.

The wage earning population of the State has, beyond a doubt, suffered more by reason of the industrial conditions just mentioned, than any other portion of our people. They have been halted not only by reduced wages, but in many instances by absence of opportunity to earn any wages. It cannot be denied that the hand of toil, applied to her native stores of wealth, has done more to make our Commonwealth the Keystone of the Federal arch, than even her commanding geographical position. Pennsylvania is the distinctive industrial Commonwealth. Her wage earners should receive fostering care in every legislative enactment affecting their interests. Benjamin Franklin declared that the proper care of intelligent labor is the noblest quality in Statehood. The giving of fair and honest employment to labor is equally necessary and noble. Conflict between employer and employed is not only injurious to both, but hurtful to every related interest. The great energies and industries of the State are as necessary to labor as labor is to them. Both should be protected in their rights. Both should be given equal legislative opportunity. Labor rises from necessity more than from inclination, and is seldom inviting unless remunerative. Capital depends upon intellectual force and direction. A dollar is a conscienceless thing. Of itself it earns no interest and declares no dividends, and is incapable of much good or harm. Its aggregated power, with intellectual force behind it, is incalculable for good or for evil. Its accumulation and use is the chief ambition and employment of mankind. The state that permits large aggregations of capital to be employed should surround the artificial person thus created with the same restrictions, privileges and protection, which it gives the individual citizen. The laws affecting each should be just and

equitable. The burden of taxation should rest justly and equitably upon both, having due regard to every privilege, advantage and related interest. Neither should be a target for the demagogue or the tool of the avaricious. Wise laws rigidly enforced are indispensable to both as well as to the State. Every man has the right to sell his labor at his own price and is entitled to protection in its performance. Labor has the right to organize for mutual protection and advantage the same as capital; but neither labor nor capital has the right to combine to prevent men from working at any price they please, no more than capital has the right to control or pervert the natural channels of industry so as to depress the price of labor or raise the cost of living.

I have been constrained to dwell somewhat in commonplace suggestion upon this subject, because in the further development of our material wealth, it is necessary for the peace and dignity of the State, and for the preservation of the lives and property of her citizens that there shall be no recurrence of law breaking methods to enforce a settlement of private disputes. The State is concerned that there shall be industrial peace; that mining, manufacturing, trade and commerce shall continue without interruption and to the advantage of all concerned; and I shall regard it as one of the most solemn obligations of my oath of office to see to it that the peace and dignity of the Commonwealth be maintained and the laws enforced and open defiance thereto restrained promptly and at whatever needed cost.

While the question of the peaceful settlement of contentions between organized labor and capital is almost as old as organized society, yet the subject is more important and momentous now than ever before. Recent experiences in this country indicate that public sentiment and matured judgment resulting from

knowledge of the facts have uniformly been the best and most powerful arbiters of such disputes. But, public sentiment operates after the fact, and is rarely a preventative. If the general public could be fully informed of the facts and merits of the disputes that bring about strikes and infractions of law, before the parties reach a belligerent attitude public sentiment would generally guide the way to peaceful and just settlement. The apparent legal obstacles confronting what is generally termed "compulsory arbitration," and the disinclination to voluntary arbitration, have rendered both comparatively ineffective in this country. Some sure legal method of ascertaining the facts and laying them bare to the public before disputes result in violation of law, destruction of property or injury to public rights, whether denominated conciliation or arbitration, would bring both sides of the contest before the public for its judgment, where the right is sure to prevail. The limits of this address prevent more than a mere suggestion upon the subject, but I may add that to maintain a sound and healthy public sentiment, so requisite to our form of government, care should be taken not only as to the moral and intellectual development of the rising generation, but that the patriotism and Americanism of our people should not be contaminated or weakened by infusions of populations not having the natural endowments, capacities, training or desires to become an honest, law abiding and useful part of our national economy.

When we consider that the general education of the people is essential to the stability and perpetuity of the State, we may well contemplate further improvements in our free school system. The ordinary township or village school, while filling a most useful place, does, to some extent, fail in affording the means necessary to enable boys and girls to fit themselves into useful places when every branch of employment seems to be

already overcrowded. We are living in what is often called an age of invention. Human labor has been abridged and human comfort enlarged by American ingenuity as applied to mechanical principles, and that to a greater and more profitable extent than in any other country or period of time. And yet the trend of free education has been such as to given very little prominence to industrial training, to the education that prepares the rising generation to earn a living by the joint use of head and hand. A large percentage of the patrons of our public schools go from the school house into the business of earning a livelihood. The province of the free school is and should be to assist them in preparing for whatever lawful employment inclination or necessity may bring to them. There is large demand for education of this kind and our present school system can readily be expanded to still greater usefulness in this direction. I hope the time is not distant when our great State, from the abundance of her wealth will provide through her school system the opportunity to every boy and girl within her borders to obtain a thorough preparation for any calling or profession, as free from cost in the higher branches as the rudiments of an education may now be obtained in our township schools. When we take into consideration the higher institutions of learning that now depend largely upon the State for support and development, the additional cost of such educational expansion would not be a serious impediment.

The people of the State have manifested much interest in the subject of improvement of our public roads, and it is hoped that the growing sentiment in this regard will soon eventuate in intelligent investigation and appropriate legislation. The general condition of our roads throughout the State indicates that public sentiment has not favored a tax levy for road purposes sufficiently large to construct and main

tain the best roadways, even if the money were most intelligently and economically expended. It is a question largely of local sentiment. After a somewhat painstaking study of the subject, I am inclined to suggest that, recognizing the right of local government, where the people of township or county desire better roads, the State should under well guarded legislative restrictions, come to their assistance by paying a share of the proper cost, providing the quality and character of the road satisfy established and just requirements.

Our growing population and increasing diversity of pursuits and employment appear to require expansion in the methods of transacting the greater business of the State through its various executive departments. The several executive branches which existed at the beginning have been enlarged and amplified from time to time by constitutional and legal provisions until they have reached their present growth. The Departments of Insurance and Banking are of recent legislative establishment. Their necessity is each year more apparent. The conditions which induce prudent people to insure their lives and their property make it incumbent upon the State to see to it that the money thus expended is placed where the consideration which is purchased is sure to be returned, whether the insurance is a creature of our own laws or of another state or country seeking business within our borders. So, also, the banking institutions, trust companies and building and loan associations, which invite the deposit and safe keeping of money belonging to the citizens, should be required to satisfy the State that such deposits are in safe hands.

The building and loan associations of our State have proved so beneficial to the industrial and wage earning people that enormous sums of money have been paid into the treasuries of the local institutions, and the homes of more than fifty thousand people in moderate

circumstances in this State are dependent upon the good faith and integrity of the management. The building and loan association is distinctively a Pennsylvania institution, the first effort of the kind in this country having been organized in Philadelphia in 1831.

Last year, according to official statistics, there were 5,598 building and loan associations in the United States, of which 1,076 were organized in and under the laws of Pennsylvania. Further investigation shows that last year there were 232,043 shareholders in the Pennsylvania associations, of whom 68,498 were borrowers, showing that over seventy per cent. of the stockholders used the associations for investment in the nature of savings banks. There are also about 240 national building and loan associations in the land. These organizations transact a business in the aggregate of over $450,000,000 per year, of which nearly one fifth is done in Pennsylvania. I have dwelt somewhat in detail on this subject for the purpose of calling attention to the necessity of more careful State scrutiny of these institutions in the interest of the shareholders, particularly over foreign associations. In my judgment the Banking Department of the State should be enlarged so as to include proper supervision of these associations in order that the savings of our great industrial population may be adequately protected. This can be done without any, or very little, additional cost to the State.

The farming industry of Pennsylvania is by far the largest single interest, and in every adjustment of legislation should receive the first consideration. The limits of this address prevent the discussion of some features of legislation deemed essential to our agricultural advancement. I may, however, venture the opinion that if all previous legislative provisions affecting agriculture, together with those relating to the inspection of food and dairy products, the prevention

and extermination of diseases of farm animals, the sale of fertilizers, the highly important subject of the preservation of our forests, and the matter of good, public roads, were to be assembled in one department, it would not only elevate and benefit the agricultural interests of the State, and assist the valuable efforts of the State Board of Agriculture, but also place the entire interests upon a broader and more comprehensive and effective basis, and at probably little more expense to the State than the present establishment.

Similar reasons suggest like action with reference to other branches of the State government to which it is not deemed necessary to refer in detail.

I understand that the Pennsylvania Tax Conference, an organization representing the leading industrial interests of the State, will be prepared, after a most thorough and searching investigation of the subject, to present a report to the General Assembly at its present session. I express the hope that in any further adjustment of the revenue laws of the State, care will be taken that no section, no class of property, no condition of the citizen, natural or artificial, no lawful business or calling, will be required to bear more nor less than its fair and equal proportion of the burden of taxation. Such a result should be attainable, and nothing less will satisfy the just expectations of the people.

The people have the right to demand, and do expect, that the business of the State shall be conducted on principles which experience and sound judgment have established as safe and prudent, and that the General Assembly will act as promptly upon the work before them as prudence and proper deliberation will permit. Every mandate of the Constitution should be given vitalizing force by appropriate legislation, and amongst the duties thus imposed, I may be permitted to refer to the Congressional, Senatorial and Judicial apportionments. These subjects, I doubt not, will

receive at the hands of the General Assembly such fair and speedy consideration as they deserve.

When I contemplate the grave duties which now confront me and the great, varied and intricate interests to be affected by the administration this day inaugurated, I freely admit that I approach the task with a most profound sense of responsibility. As your chosen representative, I have no interest to serve that is not your interest, no ambition that does not comprehend the honor of the Commonwealth and the happiness and prosperity of her people. Neither fear nor favor shall control the exercise of my judgment excepting the fear of inability to render the best service due to the Commonwealth, and my desire to merit the favor of all of its citizens.

Pennsylvania's proud history, her great resources and unfolding wealth, and the intelligence and patriotism of her citizens, call upon her chosen servants to sustain, uphold and advance her imperial position in the nation. To that end your executive calls upon you to uphold his arm, to strengthen his purpose, to guide aright his judgment and to unite with him in humble and constant reliance upon the Supreme Ruler of states and nations.

DANIEL H. HASTINGS.

To the Senate Nominating Lewis E. Beitler Private Secretary to the Governor.

Executive Chamber,
Harrisburg, January 15, 1895.

Gentlemen:—

I HAVE THE HONOR HEREBY TO INFORM YOU that I have appointed Lewis E. Beitler, of the county of Philadelphia, to be private secretary to the Governor.

DANIEL H. HASTINGS.

To the Senate Nominating Frank Reeder Secretary of the Commonwealth.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 15, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Frank Reeder, of the county of Northampton, to be Secretary of the Commonwealth.

DANIEL H. HASTINGS.

To the Senate Nominating Henry C. McCormick Attorney General.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 15, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Henry C. McCormick, of the county of Lycoming, to be Attorney General of the Commonwealth.

DANIEL H. HASTINGS.

To the Senate Nominating Thomas J. Stewart Adjutant General.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 15, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Thomas J. Stewart, of the county of Montgomery, to be Adjutant General of the Commonwealth.

DANIEL H. HASTINGS.

To the Senate Nominating James H. Lambert Insurance Commissioner.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 15, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, James H. Lambert, of the county of Philadelphia, to be Insurance Commissioner of Pennsylvania until the first Monday of May, A. D. 1897.

DANIEL H. HASTINGS.

To the Senate Nominating James Campbell Factory Inspector.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 15, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, James Campbell, of the county of Allegheny, to be Factory Inspector of the Commonwealth of Pennsylvania.

DANIEL H. HASTINGS.

To the Senate Nominating Isaac B. Brown Secretary of Internal Affairs.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 16, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Isaac B. Brown, of the county of Erie, to be Secretary of Internal Affairs of the Commonwealth until the first Tuesday of May, A. D. 1895, to fill the vacancy caused by the resignation of Hon. Thomas J. Stewart.

DANIEL H. HASTINGS.

To the Senate Recalling Certain Executive Nominations.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 21, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor to hereby recall the following nominations, made to the Senate by executive messages dated January first, 1895, to-wit:

J. W. C. O'Neal, Gettysburg, Adams county.

George I. McLeod, M. D., Philadelphia.

Thomas G. Morton, M. D., Philadelphia.

Thomas W. Barlow, Philadelphia, and

Charles Miller, Franklin, Venango county, to be Commissioners of the Board of Public Charities.

Howard Murphy, C. E., Philadelphia,

J. H. McClelland, M. D., Pittsburgh,

Richard Y. Cooke, Philadelphia, to be members of the State Board of Health and Vital Statistics.

Henry C. Ford, Philadelphia,

Henry C. Demuth, Lancaster,

John Gay, Greensburg, Westmoreland county.

Frederick W. Ebel, Harrisburg, Dauphin county,

Louis Streuber, Erie, Erie county, and

S. B. Stillwell, Scranton, Lackawanna county, to be State Fishery Commissioners.

Alexander Port, Huntingdon, Huntingdon county,

Augustus S. Landis, Hollidaysburg, Blair county, to be managers of the State Industrial Reformatory at Huntingdon.

Henry C. Porter, Towanda, Bradford county, and

A. J. Taffel, Philadelphia, to be members of the State Pharmaceutical Examining Board.

Charles R. Buckalew, Bloomsburg, Columbia county, and

Robert E. Monaghan, West Chester, Chester county, to be Commissioners for the Promotion of Uniformity of Legislation in the United States.

Eckley B. Coxe to be a member of the Board of Commissioners to conduct Geological Survey of the State.

Francis M. Brooke, Philadelphia,

John Cadwallader, Philadelphia,

William Wayne, Paoli, Chester county,

Henry A. Muhlenberg, Reading, Berks county,

Daniel W. Howard, West Chester, Chester county.

I. Heston Todd, Port Kennedy, Montgomery county,

Frederick Dawson Stone, Germantown, Philadelphia county,

Joel J. Bailey, Philadelphia.

Charles C. Harrison, Philadelphia, and

Samuel S. Hartranft, Norristown, Montgomery county, to be Commissioners of Valley Forge Park.

Samuel W. Latta, Philadelphia,

J. E. Silliman, Erie,

A. H. Hulshizer, Philadelphia,

W. S. Foster, Pittsburg,

W. J. K. Kline, Greensburg,

Henry Beates, Jr., Philadelphia, and

H. G. McCormick, Williamsport, to be members of the Board of Medical Examiners representing the Medical Society of the State of Pennsylvania.

A. B. Woodward, Tunkhannock,

W. H. Blake, Philadelphia,

J. R. Borland, Franklin,

H. B. Piper, Tyrone,

L. P. O'Neale, Mechanicsburg,

Augustus Niles, Wellsboro, and

H. Yeagley, Lancaster, to be members of the Board of Medical Examiners representing the Eclectic Medical Society of the State of Pennsylvania.

J. F. Cooper, Allegheny,

Augustus Korndoerfer, Philadelphia,

C. F. Bingaman, Pittsburgh,
Edward Cranch, Erie,
Isaac G. Smedley, Philadelphia,
Hugh Pitcairn, and
C. S. Middleton to be members of the Board of Medical Examiners representing the Homeopathic Medical Society of the State of Pennsylvania.

Charles L. Bailey, Harrisburg,
J. Herman Bosler, Carlisle,
Spencer C. Gilbert, Harrisburg,
Samuel Small, York,
Horace Keesey, York, and
Sydenham E. Ancona, to be trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg.

William H. Shick, Reading,
Arnold Kohn, Philadelphia,
Joseph L. Lemberger, Lebanon,
Savery Bradley, Philadelphia,
Susan J. Taber, M. D., Norristown,
Horace Brock, Lebanon,
George F. Baer, Reading,
Thomas P. Merritt, and
Henry M. Dechert, Philadelphia, to be trustees of the State Asylum for the Chronic Insane of Pennsylvania, located at Wernersville.

Gideon M. Shoop, Danville,
Thomas Chalfant, Danville,
William D. Himmelreich, Lewisburg,
B. H. Throop, Scranton,
B. H. Detwiler, Williamsport,
D. M. Boyd, Danville,
Charles S. Minor, Honesdale,
Olin F. Harvey, Wilkes-Barre, and
E. W. M. Low, M. D., Berwick, to be trustees of the State Hospital for the Insane at Danville.

Ellwood M. Corson, Norristown, and

Charles Hunsicker, Norristown, to be trustees of the State Hospital for the Insane at Norristown.

L. D. Wetmore, Warren,

W. H. Osterhout, Ridgway,

S. R. Mason, Mercer,

James D. Hancock, Franklin,

Charles C. Shirk, Erie, and

J. Wilson Greenland, Clarion, to be trustees of the State Hospital for the Insane at Warren.

William A. Marr, Ashland, to be a trustee of the State Hospital for Injured Persons of the Anthracite Coal Region, at Ashland.

Richard Townsend Dodson, Arnot, to be a trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Blossburg.

Christopher Heydrick, Franklin,

Norman Hall, Sharon,

George A. Jenks, Brookville,

George W. Guthrie, Pittsburgh, and

W. Horace Rose, Johnstown, to be commissioners to select a site and build an institution for the accommodation of the feeble-minded children of Western Pennsylvania.

S. Edwin Megargee, Philadelphia,

Mary S. Garrett, Chester,

Mrs. Eleanor S. Barker, Philadelphia,

Alfred C. Tevis, Haverford, and

J. B. Showalter, M. D., Chicora, to be trustees of the Home for the Training in Speech of Deaf Children before they are of School Age, located at Philadelphia.

Henry C. Boenning, M. D., Philadelphia, to be quarantine physician of the port of Philadelphia.

Ernest LaPlace, M. D., Philadelphia, to be a member of the State Quarantine Board for the port of Philadelphia.

Frederick J. Manley, Allegheny City, to be inspector of steam engines and steam boilers in and for Allegheny county.

DANIEL H. HASTINGS.

To the Senate Nominating Managers of the State Industrial Reformatory at Huntingdon.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 22, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor to hereby nominate for the advice and consent of the Senate, the following-named gentlemen to be managers of the State Industrial Reformatory at Huntingdon, viz:

Alexander Port, Huntingdon, Huntingdon county, from May 15, 1894, for the term of ten years.

Augustus S. Landis, Hollidaysburg, Blair county, from November 14, 1894, until May 15, 1902.

DANIEL H. HASTINGS.

To the Senate Nominating Commissioners of Valley Forge.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 28, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be commissioners of Valley Forge, to serve until June 8, 1898, viz:

Francis M. Brooke, Philadelphia.
William J. Latta, Philadelphia.
William Wayne, Paoli, Chester county.
Levi G. McCauley, West Chester, Chester county.
Henry A. Muhlenberg, Reading, Berks county.
Samuel W. Pennypacker, Philadelphia.
Tatnall Paulding, Philadelphia.
Frederick Dawson Stone, Philadelphia.
Joel J. Bailey, Philadelphia.
Samuel S. Hartranft, Norristown, Montgomery county.

DANIEL H. HASTINGS.

To the Senate Nominating Albert J. Logan Quartermaster General.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 28, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Albert J. Logan, Pittsburgh, to be quartermaster general of the National Guard.

DANIEL H. HASTINGS.

To the Senate Nominating Members of the Board of Medical Examiners Representing the Homeopathic Medical Society of the State of Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, February 5, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Medical Examiners, representing the Homeopathic Medical Society of the State of Pennsylvania, viz:

Hugh Pitcairn, M. D., Harrisburg, Dauphin county, renominated, to serve until March 1, 1895.

Augustus Korndoerfer, Philadelphia, renominated, to serve until March 1, 1895.

Joseph C. Guernsey, Philadelphia, vice C. F. Bingaman, M. D., removed, to serve until March 1, 1896.

Edward Cranch, M. D., Erie, Erie county, renominated, to serve until March 1, 1896.

John J. Detweiler, M. D., Easton, Northampton county, vice C. S. Middleton, M. D., removed, to serve until March 1, 1897.

Isaac G. Smedley, M. D., Philadelphia, renominated, to serve until March 1, 1897.

J. F. Cooper, M. D., Allegheny, Allegheny county, renominated, to serve until March 1, 1897.

DANIEL H. HASTINGS.

To the Senate Nominating members of the Board of Medical Examiners Representing the Medical Society of the State of Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, February 5, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be members of the Board of Medical Examiners, representing the Medical Society of the State of Pennsylvania, viz:

H. G. McCormick, M. D., Williamsport, Lycoming county, renominated, to serve until March 1, 1895.

W. S. Foster, M. D., Pittsburgh, renominated, to serve until March 1, 1895.

Wm. D. Hamaker, M. D., Meadville, Crawford county, vice J. E. Silliman, M. D., removed, to serve until March 1, 1896.

A. H. Hulshizer, M. D., Philadelphia, renominated, to serve until March 1, 1896.

Samuel W. Latta, M. D., Philadelphia, renominated, to serve until March 1, 1897.

H. S. McConnell, M. D., New Brighton, Beaver county, vice Henry Beates, Jr., M. D., removed, to serve until March 1, 1897.

Joseph K. Weaver, M. D., Norristown, Montgomery county, vice W. J. K. Kline, removed, to serve until March 1, 1897.

DANIEL H. HASTINGS.

To the Senate Nominating Commissioners for the Promotion of Uniformity of Legislation in the United States.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, February 5, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be commissioners for the Promotion of Uniformity of Legislation in the United States, viz:

George B. Orlady, Huntingdon, vice Ovid F. Johnston, removed, to serve until May 8, 1895.

David T. Watson, Pittsburgh, vice Charles R. Buckalew, removed, to serve until May 8, 1895.

William W. Wiltbank, Philadelphia, vice Robert E. Monaghan, removed, to serve until May 8, 1895.

DANIEL H. HASTINGS.

To the Senate Nominating Eckley B. Coxe a Commissioner to Conduct a Geological Survey.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, February 5, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Eckley B. Coke, Drifton, Lu-

zerne county, to be a member of the Board of Commissioners to Conduct Geological Survey of the State during the continuance of the work.

DANIEL H. HASTINGS.

To the Senate Nominating Benjamin F. Gilkeson Commissioner of Banking.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, February 12, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Benjamin F. Gilkeson, of the county of Bucks to be Commissioner of Banking of the Commonwealth of Pennsylvania.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Provide for an Additional Law Judge of the Several Courts of the Twenty-Seventh Judicial District."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., February 16, 1895.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVal, House bill No. 4, entitled "An act to provide for an additional law judge of the several courts of the Twenty-seventh Judicial district."

The Twenty seventh Judicial district is composed of the county of Washington and has now but one judge. A patient hearing was given both to the advocates and the opponents of this measure. The controlling question which it becomes my duty to determine is whether or not a necessity exists in the county of Washington for an additional law judge. The material facts, either conceded by the freinds of the measure or certified to by the prothonotary and clerks of the several courts of the county may be summarized for the year 1894, as follows:

Number of cases put at issue,	137
Number of cases on the trial list for the term beginning February 25, 1895, being all the cases then at issue,	58
Number of cases tried by jury,	71
Time occupied in trial of these cases,	16 weeks, 4 days
Number of motions for new trials,	9
Number of cases stated,	4
Number of applications to stay executions and to set aside sheriff's sales,	12
Number of equity cases entered,	48
Number of equity cases disposed of,	32
Number of auditor's reports filed,	27
Number of such reports to which exceptions were filed,	11
Number of cases on argument list (all disposed of),	94
Number of quarter sessions cases tried by jury,	67
Number of homicide cases,	6
Number of applications for license to sell liquor,	36
Time occupied in hearing testimony in same (days),	3
Number of accounts to which exceptions were filed,	14
Number of auditors' reports to which exceptions were filed,	12

Number of road cases in which exceptions on motions to quash were filed, ... 9

It appeared further by certificate of the prothonotary, under date of 25th of January, 1895, that at that date no cases were ready for trial on the equity issue docket, all that were ready having been disposed of prior to that date. By the census of 1890 the county of Washington had a population of 71,155, and notwithstanding the fact that a very considerable increase in its population has taken place since the last census, it does not appear to have materially increased the business of the courts, the volume of business of 1894 being practically the same as it had been in the year 1893. The advocates of the bill admit that an action might be tried within three months from the time it is brought, and that, making allowance for all continuances and accidents, all pending causes are certain to be tried within a year. An examination of the printed list for the term beginning February 25th, 1895, discloses the fact that of the 58 cases down for trial 8 were brought to the same term. Thirty-seven cases of the same list were brought during 1894, many of them to the November Term of that year. The remaining 13 cases were brought chiefly in 1892 and 1893, but were not put at issue, and therefore were not ready for trial, as an examination of the printed trial list discloses the fact that they appear in order later than cases that were brought to February Term, 1895. The work of the year 1894 was all performed by the resident judge, except that during eleven days he had the assistance of a neighboring judge.

In view of the fact that there were only 137 cases put at issue in 1894, that the number of causes tried by court and jury was only 71, that all cases at issue at the time of making up the list for the February Term, 1895, were put down for trial, and a term of four weeks given to try them, I am constrained to believe that no neces-

sity exists for an additional law judge. Much as it is my desire that a wise economy should be observed in the expenditure of the public funds, I would not hesitate to approve this measure if I were convinced that the proper administration of justice required it. All the facts adduced seem conclusively to prove that the condition of the legal business in Washington county is promptly disposed of and unusually well up, and that all suitors can have their causes tried within the statutory period.

While the reasons above given are abundantly sufficient to my mind to justify the withholding of Executive approval from the bill under consideration, the expediency of legislation of this character at this time may well be considered. Section 14 of article XVIII of the Constitution provides as follows: "The General Assembly shall at the next succeeding session after each decennial census and not oftener, designate the several judicial districts as required by this Constitution." This has not yet been done since the decennial census of 1890, but I have a right to assume that the constitutional mandate will be obeyed by the present legislature, and that, in designating the districts and assigning the number of judges to each, a prudent regard will be observed as to the public needs.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Provide for an Additional Law Judge of the Several Courts of the Tenth Judicial District."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., February 21, 1895.

I RETURN HEREWITH TO YOUR HONORABLE body, without my approval, House bill No. 8, entitled "An Act to provide for an additional law judge of the several courts of the Tenth Judicial district."

After a full hearing given to the representatives of the bar of Westmoreland county and the president judge of the district, it was made apparent that the bar of that county is practically unanimous in favor of an additional law judge, while the president judge, although unwilling to admit the necessity of an additional judge, agreed with the members of the bar as to most of the reasons urged in its favor. Notwithstanding some strong facts and reasons were given in support of this bill, I deem is unnecessary to pass upon the question raised as to whether or not there is a present necessity for this legislation.

Section 14 of article XVIII of the Constitution requires that "The General Assembly shall, at the next succeeding session after each decennial census, and not oftener, designate the several judicial districts as required by this Constitution." To allow this bill to become a law would in effect be permitting special legislation to take the place of, and render nugatory, this mandate of the Constitution. I have no right to assume that the legislature will fail to obey this constitutional requirement. There is now pending before your honorable body a bill providing for the proper

designation of the several judicial districts, in which, I am satisfied, the legislature will fairly consider and relieve the special needs of all judicial districts of the Commonwealth.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act Declaring the Effect of Certain Decrees of the Registers of Wills, and of Courts on Appeal from the Decrees of Registers."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., February 21, 1895.

I HEREWITH RETURN TO YOUR HONORABLE body, without my approval, House bill No. 25, entitled "An Act declaring the effect of certain decrees of the registers of wills and of courts on appeal from the decrees of registers."

Under existing law the probate by the register of any will devising real estate is conclusive as to such realty, unless within five years from the date of such probate, those interested to controvert it shall, by caveat and action at law, duly pursued, contest the validity of such will as to such realty. The effect of the bill under consideration, if permitted to become a law, would be to make the decree of the register refusing to admit a will to probate final and conclusive

upon all parties claiming under the will, if unappealed from, and if an appeal is taken from such decree, then the decree of the orphans' court is made final and conclusive. It would seem to be the plain meaning of the proposed legislation that a decree of the orphans' court, on appeal from the register, made in pursuance of the verdict of a jury upon the issued raised, in a case where probate had been refused by the register, would be final and conclusive as to real estate, leaving the existing law untouched in cases where the register has admitted a will to probate, but whose decree is afterward appealed from, issues tried and decrees made by the orphans' court. Two distinct classes of cases would immediately arise, wherein the decree of the orphans' court declaring a will valid or invalid would have a widely different effect. In the one, where probate has been made before the register and whose decree may or may not be affirmed, all parties in interest have five years to controvert what has been done by the register and the court as to realty; in the other, where the register has seen fit to refuse probate, all parties are concluded by the decree of the court on appeal from the register. Why such a distinction should be made is not apparent. To make the effect of the decree of the court on appeal dependent upon the opinion of the registers in the first instance, as is proposed by this bill, seems to me to have no good reason to support it. If the effect of this bill were simply to put those will cases, where probate is refused by the register, on the same footing as those in which the will has been admitted to probate by the register, it might not be objectionable. But it is proposed to do much more. It takes away from those interested the five years protection given to another class of litigants, trying precisely the same questions and in the same court.

Furthermore, it is doubtful whether the class of liti-

gants referred to in the bill would have the right of appeal from a decree of the orphans' court to the Supreme Court. The title of the bill declares the effect of the "decrees of registers and of courts on appeal from the decrees of registers." The courts here referred to must mean the orphans' court, to which only an appeal can be taken from the decree of a register. The body of the bill declares that such decrees shall be "final and conclusive on persons claiming under such paper," &c. It is possible that, in construing the language of the proposed act, the courts might give it a construction favorable to the right of appeal to the court of last resort, and thus make it harmonize with the well-established right of the suitor in other cases; but the language used is so indefinite and of such uncertain meaning as to require judicial construction before it can be understood by the legal profession and the people.

DANIEL H. HASTINGS.

To the Assembly Concerning the Financial Condition of the Commonwealth.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:

AVAILING MYSELF OF THE PROVISIONS OF section eleven of the fourth article of the Constitution, which declares that the Executive "shall from time to time give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he may judge expedient," I desire to call your attention to the financial condition of the Commonwealth at the present time:

The total funded debt on the first day of January, 1895, was,	$6,817,661 28
Amount in sinking fund,	64,383 53
Unexpended balance in the Treasury, general fund,	2,988,328 55

The fiscal officers of the State, the Auditor General and State Treasurer, have furnished me with a careful estimate of the revenues which may be expected for the current year. This estimate is based upon the income under the present revenue law since it became operative.

They estimate that the revenue for the present year and the year following will not exceed $9,455,725.00 per annum.

From my own investigation of the subject, I am forced to the conclusion that the calculation is a liberal one.

The same officers have also made a comparative estimate of the amount of money required to defray the necessary and ordinary expenses of the State establishment for the current year. The estimate includes the support of the charitable and penal institutions maintained wholly or in part by State aid, and the five and one half millions of dollars for the support of the public schools. According to this estimate, the sum of $9,526,200.00 will be required for each of the next two years.

I am desirous, as I am sure you and all good citizens are, that the expenditures of the State should not exceed the revenues. I am firmly convinced that the strictest economy should be practiced in the appropriations of money until the State and country are relieved from the present financial embarrassment. Until the conditions improve so that the people may be permitted to resume their wonted avocations, and until the opportunity shall come again to all to earn competent livelihoods, not a dollar should be expended be-

yond that which will fairly and reasonably maintain the State establishment. I am sure your judgment will approve the practice of that economy on the part of the State, which we witness on all sides among her citizens, to bring the expense within the income.

The increase of our population, and the growth and development of our material and business interests, of necessity, increase the volume of business between the citizens and the several executive departments. If the prompt and adequate transaction of the business of the State demands increased clerical assistance, it should not in my judgment be withheld, but the only reason for additional clerical force in any department should be that of necessity.

During recent years in some of the departments the clerical force has been temporarily increased, but because of no specific appropriations, their compensation has been paid out of the several funds created for contingent expenses.

My attention has been called to several enactments by your honorable bodies and other proposed enactments, which create additional offices. The Department of Banking, by your wise legislation, lately enlarged and adjusted to the proper supervision of all State financial institutions, provides its own independent revenue, relieving the State not only from any additional cost but from the former expense of supporting the Department out of the Treasury. As to proposed legislation involving the creation of additional offices, it is not my province or purpose to forestall legislative action. I may, however, express the opinion that no office bearing a salary should be created unless there is absolute necessity therefor. But in cases where the necessity does exist, it would be false economy, in my judgment, to cripple the administrative efficiency by permitting the payment of such nec-

essary help out of funds created to meet only the contingent requirements of the several departments.

The Representatives of the people having in charge the great interests of the Commonwealth, legislative, executive, judicial, educational, agricultural, manufacturing and commercial, should, and I have no doubt will, exercise that true spirit of economy which has for its purpose the prudent care of every interest within the bounds of the State. This true economy can best be conserved by your honorable bodies in such wise and prudent appropriation of money as will hold the expenses of the Commonwealth within her revenues.

Feb 26, 1895.

DANIEL H. HASTINGS.

To the Senate Recalling the Nomination of Dr. H. S. McConnell, a Member of the Board of Medical Examiners Representing the Medical Society of the State of Pennsylvania."

February 26, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor to hereby recall the nomination of Dr. H. S. McConnell, of New Brighton, Beaver county, to be a member of the Board of Medical Examiners, representing the Medical Society of the State of Pennsylvania, made to the Senate by Executive message, dated February 5th, 1895.

DANIEL H. HASTINGS.

Proclamation of the Election of James H. Codding as a Representative of Pennsylvania in the United States Congress.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, In and by an act of the General Assembly, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, it is made the duty of the Governor, on receipt of the returns of the election of members of the House of Representatives of the United States by the Secretary of the Commonwealth, to declare by Proclamation the names of persons returned as elected in the respective districts;

And whereas, By the death of the Honorable Myron B. Wright who was elected to represent the Fifteenth Congressional District, composed of the Counties of Bradford, Susquehanna, Wayne and Wyoming in the House of Representatives of the United States, a vacancy will, on and after March 4th, 1895, exist in said District for the Fifty-fourth Congress;

And Whereas, A special election for member of the House of Representatives of the United States was held in the said Fifteenth Congressional District on the nineteenth day of February, A. D. 1895, to fill such vacancy as aforesaid;

And Whereas, The returns of said special election held on the nineteenth day of February, A. D. 1895, as aforesaid, for Representative of said District in the House of Representatives of the Fifty-fourth Congress of the United States for the term for which the said

Honorable Myron B. Wright, deceased, was elected, have been received at the office of the Secretary of the Commonwealth, agreeably to the provisions of the above recited act of the General Assembly, whereby it appears that in the Fifteenth Congressional District, composed of the counties of Bradford, Susquehanna, Wayne and Wyoming, James H. Codding has been elected.

Now Therefore, I, DANIEL H. HASTINGS, Governor of the said Commonwealth, do issue this my proclamation hereby publishing and declaring that

JAMES H. CODDING,

has been returned as duly elected in the Fifteenth Congressional District before mentioned, as Representative in the House of Representatives of the United States, for the term for which the said Honorable Myron B. Wright, deceased, was elected in the Fifty-fourth Congress.

Given under my hand and the Great Seal of the State, at the city of Harrisburg, this twenty-eighth day of February, in the year of our Lord one thousand eight hundred and ninety-five, and of the Commonwealth the one hundred and nineteenth.

DANIEL H. HASTINGS.

By the Governor:

Frank Reeder,

Secretary of the Commonwealth.

Proclamation of the Election of Edwin J. Jordan as a Representative of Pennsylvania in the United States Congress.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

Whereas, In and by an Act of the General Assembly, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, it is made the duty of the Governor, on the receipt of the returns of the election of Members of the House of Representatives of the United States by the Secretary of the Commonwealth, to declare by Proclamation the names of persons returned as elected in the respective Districts; and

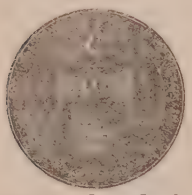
Whereas, By reason of the death of Hon. Myron B. Wright, who represented the Fifteenth Congressional District, composed of the counties of Bradford, Susquehanna, Wayne and Wyoming, in the House of Representatives of the United States, a vacancy existed in said District for the Fifty-third Congress: and

Whereas, A special election for member of the House of Representatives of the United States was held in the said Fifteenth Congressional District on the 19th day of February, A. D. 1895, to fill the unexpired term of the said Hon. Myron B. Wright in the said Fifty-third Congress; and

Whereas, The returns of said special election held on the nineteenth day of February, A. D. 1895, as aforesaid, for Representative of said District in the House of Representatives of the Fifty-third Congress of the United States for said unexpired term of the said Hon-

orable Myron B. Wright, deceased, have been received at the office of the Secretary of the Commonwealth, agreeably to the provisions of the above recited acts of the General Assembly, whereby it appears that in the Fifteenth Congressional District, composed of the Counties of Bradford, Susquehanna, Wayne and Wyoming, Edwin J. Jordan has been elected.

Now, Therefore, I, DANIEL H. HASTINGS, Governor of the said Commonwealth, do issue this my Proclamation hereby publishing and declaring that EDWIN J. JORDAN has been returned as duly elected in the Fifteenth Congressional District before mentioned, as Representative in the House of Representatives of the United States for the unexpired term of the Honorable Myron B. Wright, deceased, in the Fifty-third Congress.



Given under my hand and the Great Seal of the State, at the City of Harrisburg, this Twenty-eighth day of February, in the year of our Lord one thousand eight hundred and ninety-five, and of the Commonwealth the one hundred and nineteenth.

DANIEL H. HASTINGS.

By the Governor:

Frank Reeder,

Secretary of the Commonwealth.

To the Assembly Vetoing "An Act to Provide for the Publication and Distribution of a Report on the Birds and Mammals of Pennsylvania by the Ornithologist of the State Board of Agriculture."

Executive Department,
Commonwealth of Pennsylvania,
Office of the Governor,
Harrisburg, March 5, 1895.

I HAVE THE HONOR HEREWITH TO RETURN, without my approval thereto affixed, House bill No. 1, entitled "An act to provide for the preparation, publication and distribution of a report on the Birds and Mammals of Pennsylvania, by the Ornithologist of the State Board of Agriculture, and making appropriation for the preparation of the same."

The bill provides for the publication of twenty-four thousand (24,000) copies of a report of the Ornithologist of the State Board of Agriculture on the Birds and Mammals of Pennsylvania, and appropriates twenty-five thousand ($25,000) dollars, or so thereof as may be necessary, for that purpose. The bill appropriates the additional sum of three thousand ($3,000) dollars for the work of editing, revising, classifying, indexing and proof reading, making the total authorized expenditure twenty-eight thousand dollars ($28,000).

Notwithstanding the popularity and value of the work and the general demand made upon me, especially by the farming people of the State, to sign the bill, I am of the opinion that in the present condition of financial and business affairs, it is not in accordance with wise and prudent economy to expend this sum of money for such purpose. This proposed edition, valuable and popular as it would be, can be dispensed with, and I place the withholding of my approval upon the

ground that the finances of the State will not warrant the expenditure of the money at the present time.

DANIEL H. HASTINGS.

To the Senate Nominating George S. Criswell President Judge of the Twenty-Eighth Judicial District.

March 6, 1895.

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, George S. Criswell, Franklin, to be president judge of the Twenty-eighth judicial district, to serve until the first Monday in January, following the next general election, vice Chas. E. Taylor, resigned.

DANIEL H. HASTINGS.

To the Senate Nominating Henry Beates, Jr., M. D., a Member of the Board of Medical Examiners Representing the Medical Society of the State of Pennsylvania.

March 6, 1895.

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Henry Beates, Jr., M. D., Philadelphia, to be member of the Board of Medical Examiners representing the Medical Society of the State of Pennsylvania to serve until March 1, 1897.

DANIEL H. HASTINGS.

To the Senate Nominating Holstein DeHaven a Commissioner of Valley Forge.

March 6, 1895.

IN CONFORMITY WITH LAW, I HAVE THE honor to hereby nominate for the advice and consent of the Senate, Holstein DeHaven, Philadelphia, to be Commissioner of Valley Forge, to serve until June 8, 1898, vice Frederick Dawson Stone, resigned.

DANIEL H. HASTINGS.

To the Senate Nominating Members of the State Pharmaceutical Examining Board.

March 6, 1895.

IN CONFORMITY WITH LAW, I HAVE THE honor to hereby nominate for the advice and consent of the Senate the following named gentlemen to be members of the State Pharmaceutical Examining Board for the term of five years, to compute from the date set opposite their names, respectively, viz:

Henry C. Porter, Towanda, Bradford county (renominated), August 12, 1893.

A. J. Tafel, Philadelphia (renominated), June 23, 1894.

DANIEL H. HASTINGS.

To the Senate Nominating Members of the Board of Medical Examiners Representing the Medical Society of the State of Pennsylvania.

March 13, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be members of the Board of Medical Examiners, representing the Medical Society of the State of Pennsylvania, to serve three years from the dates placed opposite their names, viz:

H. G. McCormick, M. D., Williamsport, reappointed March 1, 1895.

W. S. Poster, M. D., Pittsburgh, reappointed March 1, 1895.

DANIEL H. HASTINGS.

To the Senate Nominating Members of the Board of Medical Examiners Representing the Homeopathic Medical Society of the State of Pennsylvania.

March 13, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be members of the Board of Medical Examiners, representing the Homeopathic Medical Society of the State of Pennsylvania, to serve three years from the date placed opposite their names, viz:

Hugh Pitcairn, M. D., Harrisburg, reappointed, March 1, 1895.

Augustus Kornderfer, M. D., Philadelphia, reappointed, March 1, 1895.

DANIEL H. HASTINGS.

To the Senate Nominating Commissioners to Select a Site and Build an Institution for Feeble-Minded Children of Western Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 14, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be commissioners to select a site and build an institution for the accommodation of the feeble-minded children of Western Pennsylvania, viz:

Christopher Heydrick, Franklin, Venango county, renominated, June 5, 1893.

Normal Hall, Sharon, Mercer county, renominated, June 5, 1893.

George A. Jenks, Brookville, Jefferson county, renominated, June 5, 1893.

George W. Guthrie, Pittsburgh, renominated, June 5, 1893.

W. Horace Rose, Johnstown, Cambria county, renominated, June 5, 1893.

DANIEL H. HASTINGS.

To the Senate Nominating Trustees of the Hospital for the Insane at Danville.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 14, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees for the State Hospital for the Insane at Danville, viz:

B. H. Detweiler, Williamsport, Lycoming county, renominated, to serve until February 24, 1897.

B. H. Throop, Scranton, Lackawanna county, renominated, to serve until February 24, 1897.

Chas. S. Minor, Honesdale, Wayne county, renominated, to serve until February 24, 1897.

Olin F. Harvey, Wilkes-Barre, Luzerne county, renominated, to serve until February 24, 1897.

Daniel M. Boyd, Danville, Montour county, renominated, to serve until February 24, 1897.

Thomas Chalfant, Danville, Montour county, renominated, to serve until June 9, 1896.

Gideon M. Shoop, Danville, Montour county, renominated, to serve until June 9, 1896.

E. W. M. Low, M. D., Berwick, Columbia county, renominated, to serve until June 9, 1896.

Wm. D. Himmelreich, Lewisburg, Union county, renominated, to serve until July 1, 1896.

DANIEL H. HASTINGS.

To the Senate Nominating Members of the Board of Medical Examiners Representing the Eclectic Medical Society of the State of Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 14, 1895.

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Medical Examiners, representing the Eclectic Medical Society of the State of Pennsylvania, viz:

A. B. Woodward, M. D., Tunkhannock, Wyoming county, renominated, to serve until March 1, 1898.

W. H. Blake, M. D., Philadelphia, renominated, to serve until March 1, 1898.

Samuel K. Lake, M. D., Pittsburgh, vice J. R. Borland, to serve until March 1, 1896.

M. A. Kirk, M. D., Bellefonte, Centre county, vice H. B. Pipe, M. D., to serve until March 1, 1896.

L. P. O'Neale, M. D., Mechanicsburg, Cumberland county, renominated, to serve until March 1, 1897.

H. Yeagley, M. D., Lancaster, Lancaster county, renominated, to serve until March 1, 1897.

DANIEL H. HASTINGS.

To the Senate Nominating Trustees of the State Hospital for the Insane at Warren.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 14, 1895.

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the State Hospital for Insane at Warren, viz:

S. W. Walters, Warren, Warren county, vice L. D. Wetmore, to serve until June 10, 1896.

W. H. Osterhout, Ridgway, Elk county, renominated, to serve until June 10, 1896.

S. R. Mason, Mercer, Mercer county, renominated, to serve until June 10, 1896.

George Lewis, Franklin, Venango county, vice James D. Hancock, to serve until June 10, 1897.

Charles C. Shirk, Erie, Erie county, renominated, to serve until June 10, 1897.

J. Wilson Greenland, Clarion, Clarion county, renominated, to serve until June 26, 1897.

DANIEL H. HASTINGS.

To the Senate Nominating Oliver Perry Jones a Trustee of the Cottage State Hospital at Philipsburg.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 14, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Oliver Perry Jones, Philipsburg, Centre county, to be member of the board of trustees of the Cottage State Hospital, at Philipsburg, vice John Addams Mull, deceased.

DANIEL H. HASTINGS.

To the Senate Nominating Richard Townsend Dodson a Trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Blossburg.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 14, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Richard Townsend Dodson, Arnot, Tioga county, to be a trustee of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions, at Blossburg, vice Philips Williams, deceased.

DANIEL H. HASTINGS.

To the Senate Nominating Trustees of the Home for the Training in Speech of Deaf Children Before they are of School Age, Located at Philadelphia.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 14, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named persons to be trustees of the Home for the Training in Speech of Deaf Children before they are of School Age, located at Philadelphia, viz:

S. Edwin Megargee, Philadelphia, renominated, to serve until July 14, 1896.

Miss Mary S. Garrett, Chester, Delaware county, renominated, to serve until July 14, 1896.

Miss Eleanor S. Barker, Philadelphia, renominated, to serve until July 14, 1897.

Alfred C. Trevis, Haverford, Montgomery county, renominated, to serve until July 14, 1895.

J. B. Showalter, M. D., Chicora, Butler county, renominated, to serve until July 14, 1899.

DANIEL H. HASTINGS.

To the Senate Nominating Colonel Ezra H. Ripple Commissary General.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 19, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Colonel Ezra H. Ripple, Scranton, to be Commissary General of the National Guard of Pennsylvania.

DANIEL H. HASTINGS.

To the Senate Nominating Thomas J. Edge Secretary of Agriculture.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 19, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Thomas J. Edge, Harrisburg, to be Secretary of Agriculture of the Commonwealth of Pennsylvania.

DANIEL H. HASTINGS.

To the Assembly Vetoing an Act Granting a Pension to Hamilton Smith of Jefferson County.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, Pa., March 19, 1895.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVal, House bill No. 6, entitled "An Act granting a pension to Hamilton Smith of Jefferson county."

More than thirty-one years have elapsed since the alleged injury was received for which it is proposed to grant this pension. The claims of the person mentioned may or may not be meritorious. I have no information upon the subject except the recitals in the bill. Whether or not the condition of the claimant is properly traceable to the alleged injury and whether such injury received in the line of his duty, are matters about which I have no knowledge. The lapse of time may make it difficult, perhaps impossible, clearly to establish the claimant's right to the bounty of the State, but, in the absence of such evidence, it would seem safer and better that, even if deserving, he should fail in this application, than by my approval to establish so dangerous a precedent.

To the end that all proper cases may be afforded that relief which the Constitution of the State contemplates, it would seem to be desirable that the Legislature should establish some tribunal or adopt some method by which the merits of claims of this character may be determined in advance of the passage of bills appropriating money for their payment.

DANIEL H. HASTINGS.

To the Senate Nominating Augustus Niles, M. D., a Member of the Board of Medical Examiners Representing the Eclectic Medical Society of the State of Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 20, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Augustus Niles, M. D., Wellsboro, to be a member of the Board of Medical Examiners, representing the Eclectic Medical Society of the State of Pennsylvania, to serve until March 1, 1897.

DANIEL H. HASTINGS.

To the Senate Nominating Members of the State Board of Health and Vital Statistics.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 20, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Board of Health and Vital Statistics, viz:

J. H. McClelland, M. D., Pittsburgh, renominated, to serve until July 1, 1899.

John Fulton, civil engineer, vice Howard Murphy, civil engineer, Johnstown, Cambria county, to serve until July 1, 1899.

Richard Y. Cook, Philadelphia, renominated, to serve from June 13, 1894, until July 1, 1895.

DANIEL H. HASTINGS.

To the Senate Nominating Charles A. Stobbins Associate Judge for Potter County.

Commonwealth of Pennsylvania.
Executive Chamber,
Harrisburg, March 26, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Charles A. Stobbins, Coudersport, to be associate judge for the county of Potter, to serve until the first Monday in January following the next general election, vice Considor Sears, deceased.

DANIEL H. HASTINGS.

To the Senate Nominating John C. Delaney Superintendent of Public Grounds and Buildings.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, March 28, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, John C. Delaney, Harrisburg, to be Superintendent of Public Grounds and Buildings for the term of four years.

DANIEL H. HASTINGS.

Arbor Day Proclamation—1895.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

The General Assembly, by Joint Resolution, approved March 17, 1885, and again by resolution, approved March 30th, 1887, requested the Governor of this Commonwealth to appoint annually a day to be designated as "Arbor Day," and to recommend by Proclamation to the people on the days named the planting of trees and shrubbery in public school grounds and along the public highways throughout the State.

More than ten years have elapsed since the setting apart of Arbor Day received the sanction of the Legislature, and the custom thus established has grown greatly in favor with the people. The beneficient results that will follow a proper observance of the day throughout the Commonwealth cannot be estimated. The importance of preserving the forests we yet have, and replacing those that have been removed should be recognized by every one. The General Assembly again gave expression to the importance of this subject by the act establishing a Department of Agriculture, approved so recently as March 13, 1895, in which it is made the duty of the Secretary of Agriculture, in such ways as he may deem fit and proper, amongst other things, to encourage and promote the development of forestry and to replace the waste that has been so long continued. Our citizens can do much to repair the losses we have sustained in the deforestation of the mountain regions of the State by a faithful observance of the one day in the year set apart for the purpose of planting trees.

To ornament the public school grounds and make them more attractive, to protect and add to the comfort of the traveller upon the public roads by the shade of trees, and to preserve the shores and banks of the great rivers and smaller streams of our State by the planting of trees upon them, are objects worthy the attention of every one who has an eye for the beautiful or a regard for the useful.

Now, Therefore, I, DANIEL H. HASTINGS, Governor of the Commonwealth of Pennsylvania, in accordance with law, do hereby designate and proclaim Thursday, the 11th day of April, and Friday, the 26th day of April, A. D. 1895, to be observed as Arbor Day throughout the Commonwealth.

The selection of either of the above designated days is left to the choice of the people in the various sections of the Commonwealth, to the end that that day may be selected which is deemed most favorable on account of climatic conditions.

Given under my hand and the Great Seal of the State, this fourth day of April, in the year of our Lord one thousand eight hundred and ninety-five, and of the Commonwealth the one hundred and nineteenth.

DANIEL H. HASTINGS.

By the Governor:

Frank Reeder,

Secretary of the Commonwealth.

To the Senate Nominating E. L. Hallock a Trustee of the State Hospital for Injured Persons of the Middle Coal Fields of Pennsylvania.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 11, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, E. L. Hallock, Beaver Brook, Luzerne county, to be a trustee of the State Hospital for Injured Persons of the Middle Coal Fields of Pennsylvania, at Hazleton, vice J. J. Hollenback, resigned.

DANIEL H. HASTINGS.

To the Senate Nominating Samuel R. Downing a Member of the Board of Agriculture.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 11, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Samuel R. Downing, of West Chester, to be member of the Board of Agriculture for the term of three years, to date from January 23, 1895.

DANIEL H. HASTINGS.

To the Senate Vetoing "An Act Providing that a Suit Wrongly Begun in Equity May be Continued at Law."

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, Pa., April 16, 1895.

I RETURN HEREWITH, WITHOUT MY APPROVal, Senate bill No. 14, entitled "An Act providing that a suit wrongly begun in equity be continued at law."

This act provides that if at any stage of a proceeding in equity the bill is successfully attacked by the defendant on the ground that the plaintiff has an adequate remedy at law, the court may not dismiss the bill but shall direct that the suit be transferred to the law side of the court, and there proceeded with against such of the defendants named in the bill, and in such form of action at law, as the court may designate, with the same legal effect as if the suit had been so docketed at the date of the proceeding in equity.

Should this act become a law, the court "at any stage of the proceeding," might be required to transform the equity proceeding into one at law and proceed therein as though the action had, originally been at law, instead of in equity. After the transfer to the law side of the court, it is made the duty of the court to proceed therein as in an action at law. In what way? Is the evidence already taken in the equity suit to be used and read to the jury or is the proceeding at law to be de novo? The bill is silent upon this important matter. The action at law is to begin where the equity suit left off, but it might be, and in practice probably would be, the case that the defendant would not attack the proceeding until final argument after the evidence is all in on both sides, and a decision is then made that an adequate remedy at law exists. What

then is to be done? This act requires the suit to be transferred to the law side of the court and there proceeded with. But how is it to be tried as an action at law? If a decision is to be made by the court on the evidence already in, then it would seem to deprive parties of the right of trial by jury. If it is to be tried by a jury, the testimony would either have to be taken de novo in the hearing of the jury, as in other cases, or the evidence already taken on the equity side of the court read to the jury. If the former method is adopted we can see no greater advantage resulting to the parties by the change than if the bill were dismissed and an action at law commenced. If the latter plan is to be adopted, then the case would be tried by a jury who never saw the witnesses; which is, in most cases, a very important matter, the witness himself always being in evidence.

But it might happen that the court below committed error in deciding that the plaintiff had an adequate remedy at law. Being a mere interlocutory order, however, and no right of appeal being given by the act, the plaintiff would be without remedy until final hearing in the Supreme Court. In case the Supreme Court should reverse the court below and hold that the suit had been properly begun in equity and improperly transferred, it would be difficult to determine what the exact status of the case would be. The suit in equity met its death at the hands of the court below, and the action at law at the hands of the Supreme Court. As there is no provision for a retransfer from the law side back to the equity side of the court, the parties would be in very much the same position as when the original suit in equity was commenced.

The act also provides that after transfer the suit is to be "there proceeded with against such of the parties named in the bill and in such form of action at law, as the court may designate." I think it should continue

to be the privilege of every plaintiff, as it has been in the past, to sue such defendants as he sees fit and to select such form of action as his counsel may determine. It is not the province of a court to determine either question for him in the first instance.

Again the bill provides that when the transfer is made to the law side of the court it shall have "the same legal effect as if the suit had been so docketed at the date of the suit in equity."

The effect of this provision would be to prevent the running of the statute of limitations after the filing of the bill in equity, and inferentially the only reason for such proposed legislation is relief from the ignorance or carelessness of the counsel who commenced the proceeding in equity.

The second section of the act provides that no new service of process is necessary and the action may be proceeded with without further service upon the defendant. Notice to the defendant of the form and character of the action at law, and the claim upon which the action is based, are not provided for. Furthermore the act requires the court to make such order in reference to the pleadings that an issue for trial may be speedily formed. This, we think, would establish a very objectionable practice. It would impose upon the court the duty of counsel and takes away from the parties their legal right to reach an issue by pleadings of their own making.

In addition to the specific objections above referred to, and many more that might be mentioned, the act is vicious as being an innovation upon the well established practice at law and in equity without any benefit resulting to either the plaintiff or the defendant. On the contrary, the tendency of legislation of this character is to encourage loose and uncertain methods of procedure, careless practice and to create new and unnecessary duties for the courts.

DANIEL H. HASTINGS.

To the Senate Nominating Trustees of the State Lunatic Hospital at Harrisburg.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, April 16, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Pennsylvania State Lunatic Hospital, at Harrisburg, viz:

Charles L. Bailey, Harrisburg, Dauphin county, renominated, to serve until June 16, 1896.

Spencer C. Gilbert, Harrisburg, Dauphin county, renominated, to serve until October 25, 1896.

Samuel Small, York, York county, renominated, to serve until March 19, 1897.

William A. Atlee, Lancaster, Lancaster county, vice J. Herman Bosler, to serve until June 16, 1896.

Charles H. Mullen, Mount Holly Springs, Cumberland county, vice Horace Keesey, to serve until March 19, 1897.

DANIEL H. HASTINGS.

To the Senate Nominating Edward A. Cornell a Member of the State Pharmaceutical Examining Board.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 16, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Edward A. Cornell, Williamsport, to be a member of the State Pharmaceutical Examining Board, to serve until June 23, 1899, vice A. J. Tafel, deceased.

DANIEL H. HASTINGS.

To the Senate Nominating Alexander Craig, M. D., a Trustee of the State Lunatic Hospital at Harrisburg.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, April 18, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Alexander Craig, M. D., Columbia, Lancaster county, to be trustee of the Pennsylvania State Lunatic Hospital at Harrisburg, to serve until April 7, 1896, vice Sydenham E. Ancona.

DANIEL H. HASTINGS.

To the Senate Nominating T. H. B. Lyon Judge of the Orphans' Court of Schuylkill County.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 18, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, T. H. B. Lyon, Mahanoy City, to be judge of the orphans' court, in and for the county of Schuylkill, to serve until the first Monday in January, 1896.

DANIEL H. HASTINGS.

To the Senate Nominating Thomas Robinson Superintendent of Public Printing and Binding.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 24, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, Thomas Robinson, Butler, Butler county, to be Superintendent of Public Printing and Binding, to serve from May 1, 1895, until July 1, 1897, vice W. Hayes Grier, resigned.

DANIEL H. HASTINGS.

To the Senate Nominating Commissioners of the Board of Public Charities.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg April 30, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners of the Board of Public Charities for the term of five years, from the date set opposite their names, respectively, viz:

J. W. C. O'Neal, Gettysburg, Adams county, re nominated, July 3, 1893.

George I. McLeod, Philadelphia vice Thomas G. Mor ton, M. D., July 3, 1893.

Francis J. Torrance, Pittsburgh, vice George I. Mc Leod, M. D., appointed vice Thomas G. Morton, M. D., July 3, 1893.

William B. Lamberton, Harrisburg, Dauphin county, vice Thomas W. Barlow, November 9, 1893.

Charles Miller, Franklin, Venango county, renomi nated, from March 26, 1894, until June 19, 1896.

DANIEL H. HASTINGS.

To the Senate Nominating State Fishery Commissioners.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, April 17, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be State Fishery Commissioners, viz:

Henry C. Ford, Philadelphia, renominated, to serve until July 15, 1895.

Henry C. Demuth, Lancaster, Lancaster county, renominated, to serve until July 15, 1895.

D. P. Corwen, Pittsburgh, vice John Gay, to serve until July 15, 1896.

James A. Dale, York, York county, vice Frederick W. Ebel, to serve until July 15, 1896.

Louis Streuber, Erie, Erie county, renominated, to serve until July 15, 1897.

S. B. Stillwell, Scranton, Lackawanna county, renominated, to serve until July 15, 1897.

DANIEL H. HASTINGS.

To the Senate Nominating E. B. Henderson Associate Judge for Jefferson County.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 8, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, E. B. Henderson, Brookville, to be associate judge for the county of Jefferson, to serve until the first Monday in January, 1896, vice Christ Miller, resigned.

DANIEL H. HASTINGS.

To the Senate Vetoing "A Supplement to 'An Act Relating to Husband and Wife, Enlarging Her Capacity to Acquire and Dispose of Property, to Sue and be Sued, and to Make a Last Will, and Enabling Them to Sue and to Testify Against Each Other in Certain Cases,' Enlarging the Capacity of the Wife to Sell Her Real Property Without the Joinder of Her Husband."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., May 9, 1895.

I HEREWITH RETURN, WITHOUT MY APproval, Senate bill No. 140, entitled "A supplement to an act, entitled 'An Act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases,' approved the 2th

day of June, A. D. 1893, enlarging the capacity of the wife to sell her real property without the joinder of her husband."

This bill provides that a married woman shall have the same right and power as an unmarried person to sell or otherwise dispose of her real property, and gives her the authority to make and execute any written contract or deed in the same manner and to the same extent as an unmarried person, saving to the husband only his right as tenant by courtesy.

From time to time, for nearly half a century, the rights and powers of married women have been greatly enlarged, until, under existing law, she has practically the same powers as the husband, except that she may not become accommodation endorser, maker, guarantor or surety for another, and may not execute or acknowledge a deed or other written instrument, conveying or mortgaging her real property unless her husband join in such mortgage or conveyance. The bill under consideration proposes to give the married woman precisely the same power over her separate real estate that the husband can exercise over his. She is given power "to sell or otherwise dispose of" her real estate by contract or deed, in which her husband is not required to join and without the safeguard of acknowledgment. It permits her to sell by contract in writing, executory in character, and it would necessarily follow that the vendee under such contract would have the right to enforce by proper legal proceedings the specific performance of such contract. It gives her the power to convey by deed, and this, under the decisions of our courts, implies the right to mortgage. The right to mortgage carries with it a power of disposition by judicial sale, under which the estate of the husband, as tenant by the curtesy, would certainly pass.

I cannot approve the policy involved in this legislation. Doubtless there are many individual cases of extreme hardship that would be relieved if this bill were to become a law, but considering the best interests of all the people, I am constrained to believe that it would be productive of evil rather than good. If there be a public demand for an enactment of this character, it must be because husband and wife, generally speaking, disagree as to the propriety of the sale or encumbering of the wife's property. All experience teaches that such is not the case. Domestic peace—that unity of thought and action so necessary to the preservation of proper marital relations—certainly cannot be promoted, but, in all human probability, will be hindered and interrupted by legislation of this character. To give to married women the uncontrolled power to dispose of or mortgage their real estate is to invite ill-considered and selfish advice from meddlesome and impecunious relatives, and to afford new opportunities to the itinerant speculator on the credulity and inexperience of the people. I am persuaded that this legislation cannot prove beneficial to married women but, on the other hand, is likely to be productive of bad results.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Amend 'An Act to Authorize the Election of a Chief Burgess for Three Years in the Several Boroughs of this Commonwealth who Shall not be Eligible to the Office for the Next Succeeding Term, and Providing that Such Officer Shall Not be a Member of the Town Council, Giving Him the Power to Veto Ordinances, Providing for the Election of a Presiding Officer of Councils and Abolishing the Office of Assistant Burgess,' and Providing that the Chief Burgess in Boroughs Shall Not Hold any Other Borough Office During the Term for Which He is Elected."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., May 9, 1895.

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 85, entitled "An act to amend an act, entitled 'An act to authorize the election of a chief burgess for three years in the several boroughs of this Commonwealth, who shall not be eligible to the office for the next succeeding term and providing that such officer shall not be a member of the town council giving him the power to veto ordinances providing for the election of a presiding officer of councils and abolishing the office of assistant burgess,' approved May twenty-three, one thousand eight hundred and ninety-three, and providing that the chief burgess in boroughs shall not hold any other borough office during the term for which he is elected."

Under existing law, the chief burgess of a borough is prohibited from holding "any other borough office or appointment" during the term for which he is elected. The effect of the proposed bill, should it become a law, is to permit the chief burgess to hold also an office by appointment of councils. It is made the

duty of borough councils to appoint a town clerk, treasurer, two persons to act as street commissioners, and such other officers as may be deemed necessary from time to time, the power to remove such officers being also given to councils. This would enable the chief burgess to hold at the same time the office of town clerk or street commissioner, or all of them in addition to the office of burgess. As burgess he is clothed with the veto power, so that, under the proposed act the burgess might be called upon to pass upon the question, in his capacity as chief burgess, of the removal of himself from the office of clerk, treasurer or street commissioner. In addition to the complication suggested, I am constrained to believe that it is contrary to sound public policy to permit the chief burgess to hold any other borough office and especially one to which the councils have power to appoint.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Prohibit the Capture or Killing, for the Purpose of Barter or Sale, of Any Quail or Virginia Partridge, Ruffed Grouse, Commonly Called Pheasant, Pinnated Grouse, Commonly Called Prairie Chicken, or any Woodcock, the Transportation of the Same After the Same Have Been Killed, to Provide for the Punishment of any Person or Persons Guilty of Violating any of the Provisions of this Act."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 15, 1895.

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 207, entitled "An act to prohibit the capture or killing for the purpose of barter or sale of any quail or Virginia partridge, ruffed grouse commonly called pheasant, pinnated grouse, commonly called prairie chicken or any woodcock, the transportation of the same after the same have been killed, to provide for the punishment of any person or persons guilty of violating any of the provisions of this act."

This bill by its title purports to prohibit the capture and killing of certain game commonly called quail, grouse, pheasant and woodcock within the limits of the Commonwealth. It forbids the barter, sale or exchange of such birds, after capture. Offering of the game for sale or barter is to be taken as conclusive evidence of the guilt of the vendor. Any person who purchases or receives the game or employs any one to hunt it for him is made liable to a fine of twenty-five dollars. Any railroad, express company or other common carrier, its officers and employes, are prohibited under penalty of like amount from receiving or carrying such game. Justices of the peace are clothed with full authority to enforce the penalty or send the of-

fender to the county jail. The killing, selling, receiving, buying or transporting of each and every bird is constituted a separate offense and cumulative fines are required to be imposed.

These prohibitory and penal provisions are contained in the first six sections of the act. But an examination of the seventh section discloses an exception in favor of anybody who kills the game himself and brings it home to be eaten by himself and family. The feathered game of the State is thus held as a preserve for the exclusive use of the sportsman who kills it and eats it himself, although he is not permitted to sell or give it away, or divide it, excepting with his own family.

This legislation grants a special and exclusive privilege to a portion of the people and denies it to all the rest, and is, therefore, prohibited by the Constitution.

Moreover, no person, whether he be a hotel keeper, restaurateur, store-keeper or private citizen dare, under penalty of fine or imprisonment, purchase for the use of his customers or himself any game of the kind mentioned in this bill, unless he first makes sure it was killed outside the borders of the State. So, too, the common carrier when offered this game for transportation to points either within or without the State, must receive or decline it with the double risk that if killed outside the State he must receive and carry it to its destination or suffer the penalty, or if killed within the State, he is subject to the summons of a magistrate and consequent fine or imprisonment. Such legislation is against sound public policy.

The general pursuit and killing of the feathered game of the State gives rise to the apprehension that it may eventually result in its entire extermination, and the subject is well worthy of legislative consideration, but the plan proposed in this bill is not, in my

judgment, in accord either with the fundamental law of the land or sound public policy.

DANIEL H. HASTINGS.

To the Senate Nominating George A. Cotton Director of the Nautical School at Philadelphia.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, May 14, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, George A. Cotton, Philadelphia, to be a member of the Board of directors of the Nautical School, at Philadelphia, for the term of six years.

DANIEL H. HASTINGS.

To the Senate Nominating Managers of the Pennsylvania Reform School at Morganza.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, May 15, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be managers of the Pennsylvania Reform School at Morganza, to serve for the term of four years, to compute from May 15, 1895:

Isidore Coblens, Allegheny City.
W. B. Lupton, Pittsburg.
Chas. W. Houston, Pittsburg.
A. G. Happer, Washington.
Thomas McKennan, Washington.
John M. Buchanan, Beaver.

Geo. M. VonBonnhurst, Allegheny, vice A. F. Keating.

David McKinney, New Brighton, vice John B. McBridge.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act Providing that a Suit Wrongly Begun in Equity May be Continued at Law."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., May 22, 1895.

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 101, entitled "An Act providing that a suit wrongly begun in equity may be continued at law."

On April 16, 1895, I returned to the Senate without my approval Senate bill No. 11, entitled "An act providing that a suit wrongly begun in equity may be continued at law." The bill now under consideration is identical with Senate bill No. 11, except that the present bill contains the words "prior to the hearing of testimony," inserted so as to require the defendant to attack the proceedings in equity at an earlier stage than was provided in the former bill. The change so made does not meet the objections fully set forth in the message to the Senate returning the bill above re-

ferred to. I think no good results can be obtained from legislation of this character. It tends to unsettle well established practice and to encourage loose and uncertain methods of procedure and to impose upon courts the duties of counsel.

DANIEL H. HASTINGS.

To the Senate Nominating David McM. Gregg a Trustee of the State Lunatic Hospital at Harrisburg.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, Pa., May 22, 1895.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, David McM. Gregg, Reading, to be trustee of the Pennsylvania State Lunatic Hospital at Harrisburg, to serve until June 16, 1896, vice Wm. A. Atlee.

DANIEL H. HASTINGS.

To the Senate Vetoing "A Supplement to 'An Act Fixing the Compensation of the Judges of the Courts of Common Pleas,' regulating the Salary of the Judge of the Sixth Judicial District."

Commonwealth of Pennsylvania.
Executive Department,
Harrisburg, Pa., May 22, 1895.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APPROVAL, Senate bill No. 80, entitled "A supplement to an act fixing the compensation of the judges of the court of common pleas, approved the fourth day of June, Anno Domini one thousand eight hundred and eighty-three, regulating the salary of the judge of the Sixth Judicial district in accordance with the proviso in the first section of said act."

The act approved June 4, 1883, to which this bill is a supplement, was a general act and fixed the compensation of the judges of the courts of common pleas throughout the Commonwealth. It contained a proviso that in all districts having a population exceeding ninety thousand and having but one judge, the salary should be five thousand dollars per annum. By the decennial census of 1890, the population of Erie county was 86,074. By a recital in the bill under consideration, it is stated that the Sixth Judicial district composed of the county of Erie, has now a population of 92,000, as ascertained by a complete census, taken in the year one thousand eight hundred and ninety-two, "of the city of Erie," and that the said district has but one judge. The purpose of the bill is to increase the salary of the judge of the Sixth judicial district one thousand dollars per annum, beginning June 1st, 1893, because, by a local census of the city of Erie, and by estimates of the population in the county outside the city, the county would appear to have, as is claim-

ed, more than ninety thousand population—the condition upon which the salary of the judge becomes five thousand dollars, instead of four thousand. I am of the opinion, however, that, under the Act of 1883, the population of any district must be determined by the last decennial United States census and not by the unauthorized enumeration of the local authorities.

Another grave objection to this bill is that it is special legislation engrafted upon a general act. The act of 1883 applies to the whole State, whereas this proposed supplement is special as to the Sixth Judicial district, composed of the county of Erie.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Provide for the Partial Payment, Per Diem Compensation, to George Gould, a Member of the National Guard of Pennsylvania, During the Time of His Disability Produced by Typhoid Fever, which He Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 23, 1895.

I HEREWITH RETURN, WITHOUT MY APPROVAL, House bill No. 40, entitled "An act to provide for the partial payment per diem compensation to George Gould, a member of the National Guard of Pennsylvania, during the time of his disability produced by typhoid fever, which he contracted in the service at Homestead, Pennsylvania."

This bill is one of seven now before me. The others are House bills Nos. 42, 43, 46, 49, 53 and 161. Each of these bills provides for gratuities or pensions ranging in amounts from thirty-seven dollars and fifty cents to three hundred and sixty-seven dollars and fifty cents for each of seven members of Company B,

Eighth regiment, National Guard of Pennsylvania. The preambles recite that George Gould and his six comrades served in the above named company at Homestead in the summer of 1892; that they were relieved from duty on the twenty-seventh of July of that year and were paid for their services up to that date by the Adjutant General; that six of their number, shortly after returning home, were taken sick with typhoid fever and one of them with diarrhoea; that one of them died from typhoid fever on the fourth of September of said year and that the others recovered after illnesses that ranged from eight months down to twenty-four days, the sufferer from diarrhoea taking sick the day after his discharge and being restored to health twenty-three days thereafter.

I have approved, during the present session of the General Assembly, several bills for annuities to persons who claim to have received permanent disability in the service of the Commonwealth as members of the National Guard, but not until after convincing proof, which left no doubt as to the merits of the claims. I am now asked to approve these seven bills without an iota of proof of their merits excepting the recitals in the several preambles. This character of legislation is dangerous and tends to lead to imposition upon the Legislature.

I have heretofore urged the necessity of some general legislation which will provide for a careful examination of the merits of all applications of the character in question. This is necessary not only to protect the public treasury, but the honor of the worthy guardsmen. Those who have an honorable claim upon the State should be the recipients of its justice and its bounty. The condition precedent to such honorable distinction must always be clear and indisputable proof of merit.

The claims of some of these seven applications, e. g., that of Lillie C. Raabe, may be meritorious, but there is no proof of it whatever. It would, however, be an indignity and an insult to every member of the National Guard of the State to grant a gratuity of thirty-seven dollars and fifty cents to a guardsman for twenty-three days of such slight sickness, after he was relieved from service and paid for the same, with no proof whatever that the malady was contracted in the line of duty. The National Government never granted such large gratuities or annuities for service in the war for the Union.

I am convinced that it is my duty to withhold my approval of these seven bills and to again call attention to the necessity for well considered legislation on the subject of granting pensions and gratuities to deserving members of the National Guard.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Provide for the Partial Payment, Per Diem Compensation, to William W. Bond, a Member of the National Guard of Pennsylvania, During the Time of His Disability, Produced by Typhoid Fever, which He Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 23, 1895.

I HEREWITH RETURN, WITHOUT MY APPROVAL, House bill No. 42, entitled "An act to provide for the partial payment per diem compensation to William W. Bond, a member of the National Guard of Pennsylvania during the time of his disability

produced by typhoid fever, which he contracted in the service at Homestead, Pennsylvania," for the reasons set forth in the veto to House bill No. 40.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Provide for the Partial Payment, Per Diem Compensation, to Charles Lindenmuth, a Member of the National Guard of Pennsylvania, During the Time of His Disability, Produced by Typhoid Fever, which He Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 23, 1895.

I HEREWITH RETURN, WITHOUT MY APPROVAL, House bill No. 43, entitled "An act to provide for the partial payment per diem compensation to Charles Lindenmuth a member of the National Guard of Pennsylvania during the time of his disability produced by typhoid fever which he contracted in the service at Homestead, Pennsylvania," for the reasons set forth in the veto to House bill No. 40.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Provide for the Partial Payment, Per Diem Compensation, to Willoughby Fry, a Member of the National Guard of Pennsylvania, During the Time of His Disability, Produced by Diarrhoea, which He Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 23, 1895.

I HEREWITH RETURN, WITHOUT MY APPROVAL, House bill No. 46, entitled "An act to provide for the partial payment per diem compensation to Willoughby Fry, a member of the National Guard of Pennsylvania during the time of his disability produced by diarrhoea, which he contracted in the service at Homestead, Pennsylvania," for the reasons set forth in the veto to House bill No. 40.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Provide for the Partial Payment Per Diem Compensation, to Henry Johns, a Member of the National Guard of Pennsylvania, During the Time of His Disability, Produced by Typhoid Fever, which He Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 23, 1895.

I HEREWITH RETURN, WITHOUT MY APPROVAL, House bill No. 49, entitled "An act to provide for the partial payment of per diem compensation to Henry Johns, a member of the National

Guard of Pennsylvania during the time of his disability produced by typhoid fever which he contracted in the service at Homestead, Pennsylvania,' for the reasons set forth in the veto to House bill No. 40.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act to Provide for the Partial Payment, Per Diem Compensation, to William E. Sinyard, a Member of the National Guard of Pennsylvania, During the Time of His Disability Produced by Typhoid Fever, which He Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 23, 1895.

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 53, entitled "An act to provide for the partial payment per diem compensation to William E. Sinyard, a member of the National Guard of Pennsylvania during the time of his disability produced by typhoid fever, which he contracted in the service at Homestead, Pennsylvania," for the reasons set forth in the veto to House bill No. 40.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act Granting an Annuity to Lillie C. Raabe, Widow of August C. Raabe, a Private of Company B, Eighth Regiment, of the National Guard of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 23, 1895.

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 161, entitled "An Act granting an annuity to Lillie C. Raabe, widow of August C. Raabe, a private of company B, Eighth regiment, of the National Guard of Pennsylvania," for the reasons set forth in the veto of House bill No. 40.

DANIEL H. HASTINGS.

To the Senate Nominating J. P. S. Gobin Brigadier General of the Third Brigade of the National Guard.

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, May 28, 1895.

Gentlemen:—

I N CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate, J. P. S. Gobin, Lebanon, Lebanon county, to be Brigadier General of the Third Brigade of the National Guard of Pennsylvania, to rank as such from June 1, 1885, for the term of five years, from June 3, 1895.

DANIEL H. HASTINGS.

To the Senate: Vetoing "An Act Authorizing the Courts of Common Pleas to Extinguish a Right to Mine Coal or Take Out or Take Off Stone, Limestone, Ores, Timber, Gas, Oil, Roads and Rights of Way in and on Lands in this Commonwealth where the Same Has Not Been Exercised for a Period of Twenty One (21) years and Prescribing the Proceedings Therefor."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., May 28, 1895.

I RETURN HEREWITH, WITHOUT MY APPROVAL, Senate bill No. 131, entitled "An act authorizing the courts of common pleas to extinguish a right to mine coal, or take out or take off stone, limestone, ores, timber, gas, oil, roads and rights of way in and on lands in this Commonwealth where the same has not been exercised for a period of twenty one (21) years and prescribing the proceedings therefor."

This bill if it became a law, would place in the hands of the land owner a most dangerous power. It provides a proceeding for the forfeiture of rights of property in cases where the owner of the minerals in, or the timber upon, the lands has not exercised his right of removal or cutting for a period of twenty-one years. The notice to the owner of the legal proceeding is to be personal only in case he resides in the county. If a non-resident of the county, then notice is to be given by publication in the county where the lands lie, and a copy of the newspaper containing the notice is to be sent to the owner, directed to his "nearest post office, if such can be ascertained." The bill then provides that upon the affidavit of the owner of the land, setting forth that "said rights have not been entered upon and in good faith necessarily exercised and used for a period of twenty-one years, and that he and those

under whom he claims have been in the adverse possession for the period of twenty one years, and notice having been (as above stated), and it being also shown by the affidavits of two disinterested witnesses that said right has not been entered upon, exercised or enjoyed, and that the interest and estates in the said lands sought to be released have been substantially exhausted, it shall be lawful for said court to make a decree releasing said lands from the charge or incumbrance, and extinguishing the said rights or interests unless the owner or owners of said rights and interests appear and show cause why such a decree should not be entered; in which case the said court shall proceed to determine and adjust the same as justice and equity would require, as between the parties interested; and no action thereafter shall be sustained to enforce or protect said rights or estates."

I can see no good reason why power should be given to the owner of the soil to call upon the owner of the minerals or timber, in this summary manner, to defend the title to his property. The ex parte affidavits of two witnesses is all that is made necessary to confiscate the property of an absent owner, and that, too, whether such owner has actual notice of the proceeding or not. It is true that these affidavits must be to the effect that the coal, stone, limestone, ores, timber, gas or oil, "have been substantially exhausted," but this is a matter of opinion which should not be permitted to prevail against the owner, whose rights of property should not and cannot be taken from him without "due process of law."

DANIEL H. HASTINGS.

To the Senate Vetoing "An Act Authorizing Counties and Municipal Corporations of this Commonwealth to Begin and Prosecute Suits Affecting the Title and Interests of the Commonwealth in Property Within their Corporate Limits in the Courts of Common Pleas of their Proper County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., May 28, 1895.

I RETURN HEREWITH, WITHOUT MY APproval, Senate bill No. 298, entitled "An act authorizing counties and municipal corporations of this Commonwealth to begin and prosecute suits affecting the title and interests of the Commonwealth in property within their corporate limits in the courts of common pleas of their proper county."

This bill provides that any county or municipal corporation of this Commonwealth, desiring to prosecute any suit involving the title and interests of the Commonwealth in any property within the corporate limits of said county or municipality, may institute such suit in the court of common pleas in the county by petition to the said court, setting forth that thirty days' notice of the intention to present such petition has been given to the Attorney General, advising him of the nature and character of the suit desired to be prosecuted, the title and interests involved, persons and corporations interested therein adversely to the Commonwealth, and the desire of the petitioner to prosecute the suit in the name of the Commonwealth at its own expense.

The purpose of this legislation is not apparent. I see no good reason why a county or municipal corporation should, on its own motion, and in the name of the Commonwealth, bring a suit in any or all the counties. The legal interests of the Commonwealth are, by the Constitution and laws, entrusted to the care of the

Attorney General, and, under existing law, all suits in which the Commonwealth is plaintiff are triable in the court of common pleas of Dauphin county. I am not disposed to favor this change in a long-established practice in the absence of any public necessity therefor.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act Limiting the Duration of the Lien of Taxes Against Real Estate in This Commonwealth."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., May 29, 1895.

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 100, entitled "An act limiting the duration of the lien of taxes against real estate in this Commonwealth."

This bill provides that all taxes now or hereafter becoming delinquent against real estate in this Commonwealth shall continue a lien for five years from the first day of January in the year next succeeding that in which such taxes are due and no longer unless claims or liens for the same shall be filed in the office of the prothonotary of the proper county within the said term of five years, with a further provision for the continuance of the lien so entered.

This bill, should it become a law, would be very burdensome on all persons whose interest it was to determine the amount of incumbrances upon real estate. The bill creates a statutory lien upon real estate for all taxes of every kind and character. It would be very difficult, if not entirely impracticable, in most of

the counties of the State, to determine the unpaid taxes in any given instance. To impose the duty upon parties interested to find the proper township official who could give the information, in case of road, school and poor taxes, would be an intolerable burden in all districts outside the larger cities. If the bill limited its provisions to cities I am of the opinion that it would not be objectionable.

DANIEL H. HASTINGS.

To the Assembly Vetoing "An Act Authorizing Appeals to be Made in Equity Cases of Account, where the Liability to Account is in issue from the Preliminary Order or Decree of Court Requiring an Account."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., May 29, 1895.

I HEREWITH RETURN, WITHOUT MY APproval, House bill No. 154, entitled "An act authorizing appeals to be made in equity cases of account where the liability to account is in issue from the preliminary order or decree of court requiring an account."

I withhold my approval from this bill for the sole reason that I am advised that a Senate bill, identical in terms with this, with the added provision that the appeal allowed from the preliminary order or decree of court requiring an account shall operate as a suspension of the proceedings until such appeal is disposed of, has passed both houses of the General Assembly and will reach the Executive in due course. The Senate

bill, above referred to, I regard as the better bill, and my purpose in returning this is to enable me to approve that.

DANIEL H. HASTINGS.

To the Senate Vetoing "An Act Making an appropriation for the Payment of Felix C. Negley, of Allegheny County for His Services and Necessary Expenses as Recruiting Agent of the State of Pennsylvania During the War of the Southern Rebellion."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 30, 1895.

Gentlemen:—

I RETURN, WITHOUT MY APPROVAL, SENATE bill No. 12, entitled "An act making an appropriation for the payment of Felix C. Negley, of Allegheny county, for his services and necessary expenses as a recruiting agent of the State of Pennsylvania during the war of the Rebellion."

This bill provides for the payment of $2,500 to Felix C. Negley for services alleged to have been rendered by him to the Commonwealth in the years 1864 and 1865 as a recruiting agent. There is no proof whatever before me that the services for which this sum of money is claimed was ever rendered. If the claim were meritorious, it should have been submitted to the proper fiscal and auditing officers of the State and settled in accordance with the general system of adjusting accounts between the Commonwealth and those claiming against it.

The demand is now made upon the State thirty years after his claim purports to have originated. Surely some explanation should be made for the delay and adequate proof of the integrity of the claim, submitted.

I am bound also to recognize the fact that this same Felix C. Negley had introduced and passed in the General Assembly of 1891 a bill for the same services claimed in the bill before me, the only difference between the two being that in the first bill his claim amounted to $830, and in the bill under consideration he demands $2,500. This is suspicious.

Governor Pattison, in vetoing the bill in 1891, said: "I am not willing to give my approval to the bill without having submitted to me ample and convincing evidence, first that the claim is actually due, and, second that proper effort has been made to have it settled in accordance with the general system established for adjusting accounts between the Commonwealth and persons claiming under it."

It thus appears that in 1891 Mr. Negley had notice that the State required not only competent proof as to the merits of his claim, but also proper explanation of the reasons for the long delay in making application to the Legislature.

DANIEL H. HASTINGS.

To the Senate Vetoing "An Act to Provide for the Payment of Amount Due for Electric Current Used in the Public Buildings of the Commonwealth, and the Rental of Buildings Occupied by the Bank Examiner, World's Fair Commissioners and Factory Inspector, 'and for the Laying of Granolithic Pavement Around the Grounds of the Executive Mansion and around the fountain in the Capitol Grounds,' "

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 29, 1895.

Gentlemen:—

I HEREWITH RETURN, WITHOUT MY APproval, Senate bill No. 186, entitled "An act to provide for the payment of amount due for electric current used in the public buildings of the Commonwealth and the rental of buildings occupied by the Bank Examiner, World's Fair Commissioners and Factory Inspector, and for the laying of granolithic pavement around the grounds of the executive mansion and around the fountain in the capitol grounds, during the years one thousand eight hundred and ninety one, one thousand eight hundred and ninety two, one thousand eight hundred and ninety three, one thousand eight hundred and ninety-four."

This bill provides for the payment of the amount due for electric current used in the public buildings of the Commonwealth, the rental of buildings occupied by the Bank Examiner, World's Fair Commissioners and Factory Inspector, and for the laying of granolithic pavement around the grounds of the executive mansion and around the fountain in the capitol grounds. The items of appropriation covered by this bill are three in number. I am of the opinion that it is in conflict with section three, article three of the Constitu-

tion, which provides that "No bills, except general appropriation bills, shall be passed containing more than one subject, which shall be clearly expressed in its title." This bill, not being a general appropriation bill, violates the well known constitutional rule just cited, and my approval is withheld solely upon that ground. I know of no good reason why all the items named in this bill should not be contained in the general appropriation bill. Indeed, there are many reasons why that is the proper method. The Executive would then be enabled to determine the merit of each particular item and approve or disapprove as he should deem proper.

DANIEL H. HASTINGS.

To the Senate Vetoing a Joint Resolution Providing for Certain Payments by the Commissioners of the State Asylum for the Chronic Insane of Pennsylvania at Wernersville."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, May 30, 1895.

Gentlemen:—

I RETURN HEREWITH, WITHOUT MY APproval, concurrent resolution No. 27 of the Senate and House, and originating in the Senate. By the terms of this resolution the commissioners provided by the act of Assembly approved June 22, 1891, to select a site and erect a State asylum for the chronic insane are "authorized and directed to make payment out of the percentage retained by them for work done by J. F. Amweg, contractor for the erection of said insane asylum, the several sums set opposite to the names of the several parties mentioned in schedule B," (to the resolution attached).

By reference to schedule B I find that it contains twenty-eight different claims by as many different persons, firms and corporations, and a claim generally of "mechanics and laborers" of $4,914.43, the total claims being $23,305.48. On July 12, 1892, the commission entered into a contract with Frederick J. Amweg for the erection of the necessary buildings for the contract price of $304,121.22. Amweg began work, and after continuing sometime, made an assignment for the benefit of his creditors in July, 1893. Contemporaneously with the contract entered into with the commissioners, Amweg, delivered his bond to the commissioners, with the German American Title and Trust Company as surety, in the sum of $50,000, the condition of which bond is that "said Frederick J. Amweg shall and do well and truly in all respects comply with all the terms, conditions and covenants contained and set forth in said contract, specifications and plans, and shall do, save, protect and indemnify the said commissioners * * * and the Commonwealth of Pennsylvania of, from and against all loss, damage or expense by reason of his failure to comply with the said contract." By an agreement, dated the same day, between Amweg and the Trust Company, it was agreed, amongst other things, that in case said Amweg neglected to properly prosecute the work of the erection of the asylum buildings, the Trust Company should be at liberty to take hold of the work and prosecute the same to full completion, with full right, power and authority to call upon all the sub-contractors, who shall have not completed their contracts, to demand and enforce the completion thereof, and to that end the said contracts, and all benefits thereunder or thereby, including the original contract, should inure to and be payable to the said German American Title and Trust Company.

After the failure of Amweg, the Trust Company,

under an arrangement with the commissioners, proceeded to complete the buildings and turned them over to the Commissioners, by whom they appear to have been accepted. At the time of the failure of Amweg, the claims of a large number of persons, material men and laborers, remained unpaid. The contract of Amweg with the commissioners provided, amongst other things, that from the twenty per cent. retained by the commissioners, there should be disbursed among such sub contractors as may justly establish claim therefor, the amounts of their respective claims, and the balance thereof only shall be payable to such contractor. The first item in the schedule of claims attached to the resolution is entitled "Claims of mechanics and laborers, specially set forth below, $4,914.13." They are not specially set forth at all, and it would be utterly impossible, should this resolution receive executive approval, to determine the names of the persons entitled to the fund and the amount due to each. But few of the items constitute claims of sub-contractors, and the correctness of the amounts of a large number of claims is disputed.

A number of reasons of this character might be given to justify the refusal of the Executive to approve this resolution, but it is sufficient to say that it is the province of the courts to determine questions of this character. It is not a legislative function to determine the contract rights existing between Amweg and his assignee, the Trust Company, on the one hand, and the creditors of Amweg upon the other. The proposition that the rights of either of the contracting parties can be determined by the Legislature without notice, or even with notice, is scarcely worthy of serious consideration. If the Trust Company, as the assignee or successor of Amweg, stands in the same relation to the sub-contractors, material men and laborers, as Amweg himself—and this is the contention of the advocates of

this measure—then the commissioners must settle with the Trust Company, as they would have been bound to settle with Amweg; that is to say, by the terms of the contract.

DANIEL H. HASTINGS.

Veto of "A Supplement to 'An Act to Make the carrying on of the Business of Detectives Without a License a Misdemeanor, and to Regulate the Licensing and powers of detectives,' Regulating the Fees of Detectives in Certain Cases."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 24, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 10, entitled "A supplement to an act, entitled 'An act to make the carrying on of the business of detectives without a license a misdemeanor, and to regulate the licensing and powers of detectives,' approved the twenty-third day of May, Anno Domini one thousand eight hundred and eighty-seven, regulating the fees of detectives in certain cases."

This bill, if it were to become a law, would give to detectives the same power to execute process in the name of the Commonwealth as is now possessed by constables and sheriffs. The act to which this is a supplement provides for the licensing of persons who desire to enter into the business of detectives, and who depend for their employment largely upon private interests. To give them the same powers and fees as are allowed to the officers of the law would encourage op-

pressive arrests by a class of persons not elected by the people and not recognized in the adminstration of our criminal laws. Persons who establish detective agencies, or are employed as detectives by private persons or corporations, should be paid by the persons employing them and not by the defendant or the county.

DANIEL H. HASTINGS.

Veto of "An Act to Repeal the First Section of 'An Act Relating to the Election of Pathmasters in the County of Erie, and for Other Purposes."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 24, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 422, entitled "An act to repeal the first section of an act, entitled 'An act relating to the election of pathmasters in the county of Erie and for other purposes,' approved the eighth day of April, one thousand eight hundred and forty-six."

This bill recites the first section of the act of 8th April, 1846, referred to in the title, and nothing more. The act contains no words of repeal, and Executive approval could not make it effective.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for an Additional Law Judge in the Forty-Eighth Judicial District After the Expiration of the Term now Provided for by Law."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 24, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 148, entitled "An act to provide for an additional law judge in the Forty-eighth Judicial district after the expiration of the term now privided for by law."

This bill has become entirely unnecessary, and would be inoperative if approved, for the reason that the General Assembly has passed, and the Executive has approved, a General Judicial Apportionment bill, affecting, amongst other things, the purpose of the bill under consideration.

DANIEL H. HASTINGS.

Veto of "An Act Detaching the County of Jefferson from the Eighteenth Judicial District and Constituting the Same a Separate Judicial District, and Providing for the Appointment and for the Election of a President Judge Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 24, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 17, entitled "An act detaching the county of Jefferson from the Eighteenth

Judicial district and constituting the same a separate judicial district, and providing for the appointment and for the election of a president judge thereof."

This bill has become entirely unnecessary by reason of the passage by the General Assembly, and the approval by the Executive, of the General Judicial Apportionment bill, which bill provides that the county of Jefferson shall constitute a separate Judicial district.

DANIEL H. HASTINGS.

Veto of "An Act to Amend 'A Further Supplement to An Act to Incorporate the City of Carbondale,' Providing for Additional Directors of the Poor, and Providing for the Filling of Vacancies."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 25, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 187, entitled "An act to amend an act, entitled 'A further supplement to an act to incorporate the city of Carbondale,' approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty five, providing for additional directors of the poor and providing for the filling of vacancies."

This bill provides that at the next city election of the city of Carbondale held after its approval, and every four years thereafter, the qualified voters of the wards of said city, as said wards shall exist at the time of such election, shall elect one poor director for each

ward to serve for four years, and authorize the president judge of Lackawanna county to fill all vacancies that may at any time occur hereafter; and that such directors of the poor shall have the same power and authority relative to the poor within the present territory, or any territory that may be hereafter annexed to the city of Carbondale, as the poor directors now have under the act, entitled "An act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne."

The effect of this legislation is to change the terms of the poor directors to give the added power to the president judge to fill vacancies, and to enlarge their territorial jurisdiction. This is in clear violation of section 7, article III, of the Constitution, which provides, amongst other things, that "General Assembly shall not pass any local or special law * * * * * regulating the affairs of counties, cities, townships, wards, boroughs or school districts, * * * * * * creating offices or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts."

DANIEL H. HASTINGS.

Veto of "An Act to Repeal 'An Act Relating to the Collection of School Tax in the School Districts of the Commonwealth of Pennsylvania,' so Far as its Provisions Relate to or Affect the County of Washington."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 25, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 464, entitled "An act to repeal an act passed the twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled 'An act relating to the collection of school tax in the school districts of the Commonwealth of Pennsylvania,' so far as its provisions relate to or affect the county of Washington."

This is local legislation, pure and simple. The effect of the bill is to repeal a general law "so far as its provisions relate to or affect the county of Washington." It is in violation of section 7, article III, of the Constitution, which provides, amongst other things, that "The General Assembly shall not pass any local or special law * * * * * regulating the affairs of counties, cities, townships, wards, boroughs or school districts * * * * * nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law."

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the Erection and Organization of New Counties Out of Two or More Adjoining Counties, and Prescribing the Manner in which the Same May be Done."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 25, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 16, entitled "An act to provide for the erection and organization of new counties out of two or more adjoining counties and prescribing the manner in which the same may be done."

This bill by its title is general in character. It is entitled "An act to provide for the erection and organization of new counties out of two or more adjoining counties and prescribing the manner in which the same may be done." An examination of the body of the bill, however, discloses this language: Provided further, That in the construction of any such new county no county from which it is formed, or partly formed, shall be reduced in population below fifty-five thousand inhabitants, as ascertained by the last preceding decennial census." The constitutional limitation upon the formation of new counties is that "No new counties shall be established which shall reduce any county to less than four hundred square miles or to less than twenty thousand inhabitants, nor shall any county be formed of less area or containing a less population, nor shall any line thereof pass within ten miles of the county seat of any county proposed to be divided."

This bill has received very patient consideration. Its advocates and opponents have been heard at length and it is conceded by the friends of the measure that, if it were to become a law, it would at present be appli-

cable to but a single locality in the Commonwealth. The adjoining counties of Luzerne and Schuylkill, it is claimed, are the only counties that could furnish the necessary area and population, and neither be reduced below fifty-five thousand inhabitants, as required by the bill. This measure was argued, therefore, before the Executive with reference to a proposed new county to be formed by adding a part of Schuylkill to a part of Luzerne county, with Hazleton as the proposed county seat, and without reference to any other locality. After a careful consideration of all the reasons adduced for and against the bill, I have reached the conclusion that it is without merit. There seems to exist no necessity for the legislation. To permit this bill to become a law, and to become operative upon the locality referred to, I believe would be exceedingly onerous and oppressive to the taxpayers of the district contained within the new county limits. It has been demonstrated to me that the taxpaying population of the district is not sufficiently large to warrant the expense of erecting public buildings and paying the cost of the administration of county affairs. Those who will be called upon to pay the taxes are almost unanimously against the measure, and, while some inconvenience may obtain at present for a part of the population to reach the county seat at Wilkes-Barre, it is incomparably less important than the serious burdens that would be imposed upon the taxpayers if the bill were to be approved.

This act is so specific in character and so hedged about by provisos as to make it applicable to but a single locality in the Commonwealth, and its constitutionality is therefore more than doubtful.

DANIEL H. HASTINGS.

Veto of "An Act to Prevent the Adulteration or Selling Adulterated Liquors, and to Provide for the Enforcement Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 25, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 168, entitled "An act to prevent the adulteration or selling adulterated liquors and to provide for the enforcement thereof."

The ostensible purpose of this bill is to prevent the adulteration of spirituous and malt liquors, and it undertakes to specify in detail the various articles of adulteration claimed to be deleterious. It provides that whoever "sells or offers or keeps for sale any such liquors so adulterated shall be fined in any sum not less than twenty nor more than one hundred dollars, or be imprisoned not less than twenty nor more than sixty days, or both at the discretion of the court," and, in addition thereto, "all necessary costs and expenses incurred in inspecting and analyzing any such adulterated liquors of which said party may have been guilty of adulterating or selling or keeping for sale or offening for sale."

This bill seems to be entirely unnecessary. It is objectionable in that it details the forbidden articles of adulteration, some of which may or may not be "poisonous or injurious to health." By act of 2d June, 1881, it is provided that "Any and all persons engaged in the business of brewing or manufacture of ale, beer or other malt liquors, or in the fermentation, distillation or manufacture of any vinous or spiritous liquors, be and they are hereby prohibited from making use, in or about such business, or in any such process of brewing, fermentation, distillation or manufacture, of any pois-

onous or deleterious drugs or chemicals, or any impure or injurious materials, or such as are prejudicial to the public health or to the health of any person drinking or making use of any such malt, vinous or spiritous liquors." By the same act the use of any such poisonous or deleterious drugs or chemicals, or impure or injurious materials, or those prejudicial to health, is declared to be a misdemeanor, and, upon conviction, the act provides that the offenders shall be punished by a fine of one thousand dollars and by imprisonment of not more than one year. It will be seen, therefore, that there is now upon our statute books legislation covering every possible case of adulteration, and punishable with a more severe penalty than is provided by the act under consideration. This bill is clearly unnecessary, and its provisions, in many respects, are objectionable.

DANIEL H. HASTINGS.

Veto of "An Act Relating to Judgments Against Joint Tort-Feasors, Allowing Contribution Between Them."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 26, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 225, entitled "An act relative to judgments against tort-feasors, allowing contributions between them.

The proposition contained in this bill is to require equal contribution by two or more tort-feasors where judgment has been obtained against all and the same

has been collected from one. Should this bill become a law I think it might work great injustice in many cases. Where damages are recovered against several defendants in actions sounding in tort, it is very rarely the case that all should in justice be equally liable as between each other. I am constrained to believe that the existing law, which allows no contribution as between wrongdoers, is better than the proposed legislation.

DANIEL H. HASTINGS.

Veto of "An Act to Amend 'An Act to Provide for the Division of Boroughs and the Erection of New Boroughs,' by Authorizing Annexation of Separated Territory to Another Adjoining Borough or City, And Prescribing More Fully the Procedure."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 399, entitled "An act to amend section one of an act, entitled 'An act to provide for the divisions of boroughs and the erection of new boroughs,' approved the twenty-ninth day of May, Anno Domini, eighteen hundred and eighty-nine, by authorizing annexation of separated territory to another adjoining borough or city, and prescribing more fully the procedure."

The effect of this bill, if it were to become a law, would be to permit a majority of the freeholders residing in any village within the corporate limits of the

borough, by petition in writing to the court of quarter sessions, to be cut off from the borough, erected into a new and separate borough, or annexed to any other borough, or city lying contiguous or adjacent thereto.

I think this legislation unwise. To put it in the power of a section of a borough, without the consent, or, it may be, against the wishes of the inhabitants of the entire borough, to secede, create a borough of its own, or be annexed to a contiguous city or borough, might be productive of great injustice.

DANIEL H. HASTINGS.

Veto of "An Act Authorizing Companies Incorporated Under the Laws of Any Other State of the United States for the Manufacture of Glue, or any Other Article of Commerce, or Material which May be Manufactured from the Waste Products of Tanneries or Slaughter Houses, or for the Manufacture of any kind of Acids or Other Chemicals, to Erect and Maintain Buildings and Manufacturing Establishments Within this Commonwealth, and to Take, Have and Hold Real Estate Necessary and Proper Therefor."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections therto, House bill No. 412, entitled "An act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of glue, or any other article of commerce, or material which may be manufactured from the waste

products of tanneries or slaughter houses, or for the manufacture of any kind of acids or other chemicals, to erect and maintain buildings and manufacturing establishments within this Commonwealth, and to take, have and hold real estate necessary and proper therefor."

This bill, if it were to become a law, would authorize certain classes of foreign corporations, viz: those organized for the manufacture of glue and for the manufacture of acids or other chemicals, to hold real estate in this Commonwealth.

Under existing law all foreign corporations are forbidden to take title to real estate, and I see no reason why corporations of the character mentioned in this bill shall be clothed with such power. Under the provisions of existing law, foreign corporations may become domestic and thus become entitled to hold necessary real estate.

DANIEL H. HASTINGS.

Veto of "An Act to Repeal 'An Act to Erect an Independent School District from Portions of Rostraver Township, in the County of Westmoreland, and Washington Township, in the County of Fayette,' as Far as the Same Relates to Washington Township, Fayette County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 553, entitled "An act to repeal an act, entitled 'An act to erect an independ-

ent school district from portions of Rostraver township in the county of Westmoreland and Washington township in the county of Fayette,' approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six, as far as the same relates to Washington township, Fayette county."

This bill is in violation of section 7, article III, of the Constitution, providing, amongst other things, that "The General Assembly shall not pass any local or special law * * * * * erecting new townships or boroughs, changing township lines, borough limits or school districts." The effect of this legislation is to change the school district named in the title by taking therefrom the township of Washington, in the county of Fayette.

DANIEL H. HASTINGS.

Veto of "An Act to Amend 'An Act to Erect an Independent School District from Portions of the Townships of Davidson, Sullivan County, and Penn and Franklin Townships, Lycoming county,' Providing for the Division of an Independent School District."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 594, entitled "An act to amend the first and fourth section of an act, entitled 'An act to erect an independent school district from portions of the townships of Davidson, Sullivan county, and Penn and Franklin townships, Lycoming coun-

ty,' approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four."

This bill is in clear violation of section 7, article III, of the Constitution, which provides, amongst other things, that "The General Assembly shall not pass any local or special law * * * * * erecting new townships or boroughs, changing township lines, borough limits, or school districts; creating offices, or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts."

DANIEL H. HASTINGS.

Veto of "An Act to Repeal 'An Act to Prevent Cattle, Horses, Mules, Sheep and Swine from Running at Large in Middlesex, Butler and Mercer Townships, and Harrisville Borough, Butler County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 618, entitled "An act to repeal an act, approved March fifteenth, one thousand eight hundred and seventy, entitled 'An act to prevent cattle, horses, mules, sheep and swine from running at large in Middlesex, Butler and Mercer townships, and Harrisville borough, Butler county."

This act, by its title, proposes an entire repeal of a special act, which is in no wise objectionable. The body of the act, however, provides that the special act, referred to in the title, shall be repealed only "so far as the same applies to Harrisville borough." The subject is not, therefore, clearly expressed in the title.

It is open to the further objection that, by the partial repeal of a special law, it attempts to regulate the affairs of a borough, which is forbidden by section 7, article III, of the Constitution.

DANIEL H. HASTINGS.

Veto of "An Act Requiring the Payment of a Bonus by Corporations, Upon the Renewal of Their Charters, and upon Corporations Hereafter Incorporated."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections therto, House bill No. 987, entitled "An act requiring the payment of a bonus by corporations upon the renewal of their charters and upon corporations hereafter incorporated."

This bill provides for a bonus of one-half of one per centum upon the amount of capital stock which a corporation, by its charter, is authorized to have, and a like bonus upon any subsequent increase thereof, and forbids the company to exercise any corporate powers until the payment of the entire bonus into the State Treasury.

Under existing law, the bonus chargeable is one-fourth of one per cent., one-half of which is payable at the time of the granting of letters-patent, and the remaining half at the end of one year. The effect of this bill, should it become a law, would be to double the bonus charged and make it all payable in advance.

The revenue derived by the State from this source is at present quite important, but I fear that legislation of this character would have the effect of decreasing, rather than increasing, the revenue. The charge imposed by this bill might justly be regarded as so onerous as to discourage incorporation under our own laws and encourage the taking out of charters under the laws of other states.

DANIEL H. HASTINGS.

Veto of "An Act Authorizing the Courts of Common Pleas of this Commonwealth to Decree the Dissolution of Certain Corporations in Certain Cases, and to order the sale of their Real Estate, and Make Distribution of the Proceeds Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 130, entitled "An act authorizing the courts of common pleas of this Commonwealth to decree the dissolution of certain corporations in certain cases, and to order the sale of their real estate and make distribution of the proceeds thereof."

This bill provides that whenever any corporation, organized for the purpose of mining petroleum or other products and owning real estate, shall have been in existence for the period of twenty-five years, and for the period of ten years shall not have been engaged in the business of such mining, nor have earned and

distributed to the shareholders thereof any dividends out of its net earnings, it shall be the duty of the courts of common pleas of any county, in which such real estate may be situated, upon the petition of the owner or owners of not less than one-fourth of the capital stock of any such corporation, to decree a dissolution of such corporation and to order and direct the sale of its real estate.

To permit the owners of one-fourth of the capital stock of a corporation to dissolve it and compel the sale of its real estate would, in my opinion, give unwarranted power and authority to minority stockholders, and might work great injustice to the non-assenting stockholder. I deem it much better and safer for the interests of all concerned that these corporations, like others, should be controlled and managed by the owners of a majority of the shares of stock.

DANIEL H. HASTINGS.

Veto of "An Act to Prohibit the Erection of Temporary Structures for Fishing in the Streams and Lakes of this Commonwealth, except in Lake Erie or Any Bay Connected Therewith."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 394, entitled "An act to prohibit the erection of temporary structures for fishing in the streams and lakes of this Commonwealth, except in Lake Erie, or any other bay connected therewith."

This bill is so ambiguous in character and of such doubtful meaning, that the fishing interests upon Lake Erie, which are large and important, have urged that it should not be approved. No public interest seems to demand the legislation, and the fear that an important industry may be injured prompts me to withhold my approval.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the Better Execution of the License Laws of the Commonwealth."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 27, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 458, entitled "An act to provide for the better execution of the license laws of the Commonwealth."

The material change made by this bill in existing law is to give to the Auditor General the sole power of appointment of mercantile appraisers in cities coextensive with counties. As the law now is, such appraisers are appointed by the Auditor General and the treasurer of the city, acting conjointly, to my mind a much better and safer system.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the Publishing of an Extra Edition of the Report of the Proceedings of the Dedication of the Pennsylvania Monuments Upon the Battlefield of Gettysburg, Providing for the Distribution Thereof, and Making an Appropriation for the Compiling, Proof Reading, Copying, Classifying, Correcting the Records, Printing and Binding the Same."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 197, entitled "An act to provide for the publishing of an extra edition of the report of the proceedings of the dedication of the Pennsylvania monuments upon the battlefield of Gettysburg, providing for the distribution thereof and making an appropriation for the compiling, proof reading, copying, classifying, correcting the records, printing and binding the same."

This bill provides for the publication of a duplicate edition of nineteen thousand copies of the report of the proceedings of the dedication ceremonies of the Pennsylvania monuments upon the battlefield of Gettysburg, to be published in two volumes, the same as the edition of 1891, and to contain same or similar illustrations of the several monuments, &c. The bill provides that the cost of printing and binding shall not exceed the sum of twenty-five thousand dollars and appropriates that sum, or so much thereof as may be necessary.

I withhold my approval from this bill solely upon the grounds of economy, and with special reference to the recent falling off of the revenues of the State. The publication is a most deserving one, but, considering

the worthy charitable institutions of the State calling for aid, I think it wise and prudent that the expense contemplated by this bill should not, at this time, be incurred.

DANIEL H. HASTINGS.

Veto of "An Act Providing for the Payment and Extinguishment of Dowers Charged by Decree of Court or Recognizance Upon Real Estate, Directing the Manner of Procedure, and Providing for the Investment of the Moneys so Charged."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 237, entitled "An act providing for the payment and extinguishment of dowers charged by decree of court or recognizance upon real estate, directing the manner of procedure, and providing for the investment of the moneys so charged."

This bill provides that the owners of real estate, upon which any dower is charged, may present a petition to the court, and, after due notice and hearing of all parties in interest, the court is authorized and directed to determine whether a good and valid reason exists for the removal and extinguishment of the dower charged, and, if so, power is given to order and direct that, upon payment of the money so charged upon said real estate into court, full satisfaction of the dower be entered of record, and providing that the money being so paid in, the court shall, upon the peti-

tion of the parties interested, appoint a trustee to take charge and invest the money, etc.

I regard this legislation as dangerous in character. It gives power to the courts to disturb investments of widows and orphans upon the application of the owners of the real estate upon which dower is charged, and exchanges real estate security for the personal bond of a trustee appointed by the court. In many instances, from the very nature of things, the moneys representing the dower would, at least for a time, be idle, drawing no interest, and, when invested, might not only be insecure but draw a less rate of interest, and the expenses of the trustee would be payable out of the fund. I am clearly of the opinion that, notwithstanding the inconvenience resulting to the owners of real estate by reason of their inability to pay dower securities until after the death of the widow, it is far better that the law upon this subject should remain as it is.

DANIEL H. HASTINGS.

Veto of "An Act to Amend 'An Act to Punish Defaulting Tax Collectors,' Making a Refusal to Pay Over Taxes Collected, when Due on a Proper Auditor's Report Unappealed from, Prima Facie Evidence of Embezzlement by Such Tax Collectors."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 309, entitled "An act to amend an act, entitled 'An act to punish defaulting tax collectors,' approved the third day of June, Anno Domini one thousand eight hundred and eighty-five, making a refusal to pay over taxes collected, when due on a pro-

per auditor's report, unappealed from, prima facie evidence of embezzlement by such tax collectors."

I withhold my approval from this bill because the recital of the act proposed to be amended is so faulty as to make the bill utterly unintelligible. It contains some thirty-five or forty words in its attempted recital of the section of the act proposed to be amended, which are not in the act at all. For this reason, and this alone, I withhold my approval.

DANIEL H. HASTINGS.

Veto of "An Act Providing for the Collection of the Amounts Due the Commonwealth for Purchase Money, Interest and Fees Due on Unpatented Lands."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 373, entitled "An act providing for the collection of the amounts due the Commonwealth for the purchase money, interest and fees due on unpatented lands."

This bill authorizes the Secretary of Internal Affairs to take such action as he may deem proper to enforce the collection of liens against unpatented lands, and, for this purpose, he is authorized to employ such assistants as he may deem necessary in the premises. Under existing law there is a full provision made for the collection of these liens, and with less expense than is provided by the terms of the bill under consideration, and I therefore withhold my approval of the same.

DANIEL H. HASTINGS.

Veto of "An Act to Authorize the County Commissioners of the Several Counties of this Commonwealth to sell to Actual Settlers and Convey Unseated Lands Belonging to the Several Counties."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 210, entitled "An act to authorize the county commissioners of the several counties of this Commonwealth to sell to actual settlers and convey unseated lands belonging to the several counties."

Under existing law the county commissioners of the several counties of this Commonwealth are required to make public sale of unseated lands acquired by them, and I am of opinion that no advantage to the public can result if they were authorized to sell at private sale, as provided by the terms of this bill. The system under which unseated lands are sold and purchased was established by the act of March 13, 1815, and the practice, after a period of eighty years, has become so well known that I have grave doubts of the propriety of introducing the innovation proposed by the bill under consideration. By the terms of the bill, the county commissioners are given the right to sell for a period of one year only from and after the passage of the act, and it would seem, therefore, that the bill, though general in its terms, was intended to serve some specific purpose. I am constrained to believe that the public interest requires me to withhold my approval.

DANIEL H. HASTINGS.

Veto of "An act Making it Unlawful for any Turnpike Road Company to Collect Toll for Travel Over Such Road on Which Stone Over Twc Inches in Diamater are Used for Macadamizing."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 336, entitled "An act making it unlawful for any turnpike road company to collect toll for travel over such road on which stone over two inches in diameter are used for macadamizing."

This bill forbids any turnpike road company to collect toll for travel over its road, on which stone over two inches in diameter are used for macadamizing, and also provides that "ruts shall not be permitted on said turnpike, and said turnpike company shall keep the same dressed on the surface with slate, shale, slag, crushed stone, or other similar material, and where such material is not available said turnpike shall be slightly covered with soil so as to pack the macadamized stone."

The Constitution requires that "No bills, except general appropriation bills, shall be passed containing more than one subject which shall be clearly expressed in its title." The title of this bill simply makes it unlawful to collect tolls where "stone over two inches in diameter are used for macadamizing," whereas the body of the bill imposes upon turnpike companies the other duties above recited. Besides, it would be impracticable in its application and fruitful of constant litigation between the traveler and the company.

DANIEL H. HASTINGS.

Veto of "An Act to Repeal 'An Act in Relation to Huckstering in the Counties of Bedford, Cumberland, Franklin, Fulton and York,' so Far as the Same Applies to the County of Bedford."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 538, entitled "An act, entitled 'An act to repeal an act, entitled "An act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York,' so far as the same applies to the county of Bedford."

This entire bill reads as follows: "That an act, entitled 'An act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York,' approved the eighteenth day of May, one thousand eight hundred and eighty-six, so far as its provisions apply to Bedford county, be and the same is hereby repealed." No such act was approved the eighteenth day of May, one thousand eight hundred and eighty-six; no legislature having been in session during that year. The date is clearly an error, and it is impossible to determine what act it is meant to repeal.

DANIEL H. HASTINGS.

Veto of "An Act to Amend the Title of 'An Act to Regulate the Nomination and Election of Public Officers, Requiring Certain Expenses Incident Thereto to be Paid by the Several Counties, and Punishing Certain Offenses in Regard to Such Elections,' Providing for the Manner of Submission of Constitutional Amendments and Other Questions to the Vote of the People."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 751, entitled "An act to amend the title of an act, entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections.' Providing for the manner of submission to constitutional amendments and other questions to the vote of the people."

This bill attempts to correct the title of the act of 1893, commonly known as the "Baker Ballot Law," by amending the title of that act wherein it was supposed to be defective. The words which it is now sought to legislate retrospectively into the act of 1893 are: "Providing for the manner of submission of constitutional amendments and other questions to the vote of the people." I am of the opinion that the act of 1893 must stand or fall by the title under which it was passed, and cannot be corrected by subsequent legislation. This legislation would certainly be inoperative.

DANIEL H. HASTINGS.

Veto of "An Act to Amend 'A Supplement to "An Act to Create a Sinking Fund, and to Provide for the Gradual and Certain Extinguishment of the Debt of the Commonwealth,' and to Authorize a Loan," Relieving Real Estate Agents from the Provisions of the Act."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., June 28, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 900, entitled 'An act to amend the seventh section of an act, entitled 'A supplement to an act, entitled "An act to create a sinking fund and to provide for the gradual and certain extinguishment of the debt of the Commonwealth," and to authorize a loan,' approved the fifteenth day of May, one thousand eight hundred and fifty, relieving real estate agents from the provision of the act."

The revenue now derived from licenses to real estate brokers amounts to about the sum of eight thousand dollars annually. The effect of this bill would be to relieve real estate brokers from the payment of the three per centum tax upon their annual receipts from commissions, etc. Under existing law "stock brokers, bill brokers, exchange brokers, merchandise brokers and real estate brokers" pay this tax as license fees, and I am aware of no reason why the law should be so amended as to exempt "real estate brokers" and allow it to stand as to the other persons above mentioned.

DANIEL H. HASTINGS.

Veto of "An Act to Amend 'An Act to Authorize any Borough Now Incorporated, or that May Hereafter be Incorporated, to Manufacture Electricity for Commercial Purposes for the use of the Inhabitants of said Boroughs, and for this Purpose to Erect, Purchase or Condemn Electric Light Plants and Apparatus, and making Valid the Acts of any Borough which Has Heretofore Manufactured the Same, or Incurred any Indebtedness Thereby, in Accordance with the Provisions of this Act,' Extending the Provisions Thereof to Cities of the First, Second and Third Class, and Authorizing the Manufacture of Electricity for Municipal and Commercial Purposes, and Regulating the Exercise of Such Powers."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 2, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 292, entitled "An act to amend the first section of an act approved the twentieth day of May, Anno Domini one thousand eight hundred and ninety-one, entitled 'An act to authorize any borough now incorporated, or that may hereafter be incorporated, to manufacture electricity for commercial purposes for the use of the inhabitants of said boroughs, and for this purpose to erect, purchase or condemn electric light plants and apparatus, and making valid the acts of any borough which has heretofore manufactured the same or incurred any indebtedness thereby in accordance with the provisions of this act,' extending the provisions thereof to cities of the first, second and third class, and authorizing the manufacture of electricity for municipal and commercial purposes and regulating the exercise of such powers."

The act of May 20th, 1891, to which this bill is an amendment, gave to all boroughs the right to manufacture electricity for commercial purposes, for the supply and use of the inhabitants of such boroughs, giving power also to said boroughs to purchase the works of such corporation or corporations as might then be furnishing light to the people of the borough. In case of failure to agree upon terms of purchase, the act of 1891 gave the borough power, which it might or might not exercise, to condemn electric light plants for the use of such borough.

The bill under consideration provides that, in addition to boroughs, all cities of the first, second and third classes shall have the right to manufacture electricity for municipal, borough or commercial purposes, and gives them power to negotiate for and purchase the works of all such corporations as may now be furnishing light, at such price as may be agreed upon by councils of the municipalities and a majority in value of the stockholders of such corporations. If, in case of failure so to agree, such city or borough shall, notwithstanding the disagreement, provide by ordinance for the manufacture of electricity for municipal, borough or commercial purposes in any district of such borough or municipality, such city or borough shall thereupon present its petition to the court of common pleas of the county in which such municipality or borough is located, asking for the appointment of viewers to assess the value of the several plants and works furnishing electric light in such districts in which said municipalities or boroughs propose to supply the light, and it is then made the duty of the court to appoint viewers for the purpose of assessing damage resulting from the condemnation of the works of such corporation.

It will be seen, therefore, that the important change in existing law, contemplated by this bill, is to require boroughs and cities to condemn existing electric light

plants and pay for them as conditions precedent to furnishing light on the part of the municipality for its own use and the use of its inhabitants. No matter how antiquated, useless or undesirable the works of such corporation may be to the municipality, it is required by this bill to make the purchase before it can exercise the power to light its own streets and to furnish light to its citizens. Furthermore, this bill obliges the municipality, before it is permitted to light its streets and to furnish light to its inhabitants, to condemn, not one electric light plant, but "the several plants and works furnishing electric light in such districts in which such municipalities or boroughs propose to supply either public or private lights."

I am of the opinion that the furnishing of light, at least for municipal purposes, is a proper function of the municipality as such, and that it should in no wise be abridged by legislation. To permit this bill to become a law might, and in all probability would, in many instances, require the people of the municipality, by taxation, to pay for what they did not want and could not use, for the sole benefit, not of the public, but the stockholders of the electric light company. The proper lighting of the streets of a borough or city is a necessary police regulation, as well as highly conducive to public convenience and the comfort of the citizens. Such legislation is contrary to public policy and inimical to the public good, and cannot meet with my approval.

DANIEL H. HASTINGS.

Veto of "An Act Supplementary to 'An Act to Amend an Act, Entitled "An Act to Provide for the Incorporation and Regulation of Certain Corporations,' Providing for the Incorporation and Regulation of Electric Light, Heat and Power Companies,' Amending the Second and Third Sections of Said Act so as to Provide for the Further Regulation of and Granting Additional Powers to all Corporations Now or Hereafter Incorporated Under the Provisions of Said Act for the Supply to the Public of Light, Heat and Power, or Either of Them."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 2, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 294, entitled "An act supplementary to an act approved the eighth day of May, Anno Domini one thousand eight hundred and eighty nine, entitled 'An act to amend an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy four, providing for the incorporation and regulation of electric light, heat and power companies,' amending the second and third sections of said act so as to provide for the further regulation of and granting additional powers to all corporations now or hereafter incorporated under the provisions of said act for the supply to the public of light, heat and power or either of them."

The effect of this bill would be to prevent the incorporation of any company for the supply of light, heat and power, or any of them, by electricity in the borough, town, city or district where it may be located, if the streets in such borough, town, city or district are

already occupied by a line of pipes, wires or conduits for the distribution or supplying of light, heat or power, laid, constructed or maintained, or authorized by municipal authority to be laid, constructed or maintained under any existing charter. In other words, it excludes all competition with companies already occupying the streets by the organization of new companies for a like purpose. It gives to existing companies exclusive rights in the streets occupied by them, and is contrary to the plainest dictates of public policy. Should this bill become a law, and the municipality were to advertise for bids for the lighting of its streets and public buildings, all competition would be excluded and the municipality would be obliged to accept the light at the price fixed by the corporation in possession of the streets or itself establish an electric plant to compete with the corporation in possession. I believe it to be in the public interest that competition should be unrestrained by legislation. Monopoly in so important a matter as light should certainly not receive executive sanction.

DANIEL H. HASTINGS.

Veto of "An Act Providing for the Payment to the County or Counties of the Moneys or Bonus which any Foreign Railway Corporation is Required to Pay into the State Treasury for the Right to Pass Through Said County or Counties, and by which Payment Such Foreign Railway Corporation is Relieved from Local Taxation."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 2, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 340, entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State treasury for the right to pass through said county or counties and by which payment such foreign railway corporation is relieved from local taxation."

The effect of this legislation would be to divert a considerable portion of the revenues now received by the State from railway corporations of other states whose lines pass through one or more counties of the Commonwealth. The State has certainly a right to impose upon such foreign corporations a bonus or tax for such privilege, and does in fact impose taxes upon all foreign corporations doing business within the State. To require the taxes paid by a foreign railway corporation to be returned by the State Treasurer to the counties through which the railway happens to pass has no better reason to support it than the return of the tax imposed upon any other foreign corporation to the locality in which it happens to do business. Nor can I see any greater reason why the tax collected by the State from foreign railway corporations operating lines in this State should be returned to the counties

through which such lines run, than there would be to return the tax imposed upon domestic railway corporations to the several counties through which they run. In both cases the lands covered by the right of way of the railway are exempt from local taxation.

DANIEL H. HASTINGS.

Veto of "An Act Amending 'A Supplement to the Act Consolidating the City of Philadelphia,' Regulating Public Advertisements."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 2, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 341, entitled "An act amending the thirteenth section of the act, entitled 'A supplement to the act consolidating the city of Philadelphia,' approved the twenty-first day of April, one thousand eight hundred and fifty-five, regulating public advertisements."

The purpose of this bill is to so change the law in Philadelphia that public advertising shall be inserted in not more than six newspapers instead of "not more than three daily newspapers," as provided by existing law.

I believe this act to be in violation of section seven of article three of the Constitution, which provides among other things that the "General Assembly shall not pass any local or special law * * * regulating the affairs of counties, cities, townships, wards, boroughs or school districts."

DANIEL H. HASTINGS.

Veto of "A Supplement to 'An Act to Provide Revenue by Taxation, Amending the Twenty-fourth Section, by Providing for the Payment by the State Treasurer of One-Half of the Two Per Centum Tax on Premiums Paid by Foreign Fire Insurance Companies to the Treasurer of the Several Cities and Boroughs Within the Commonwealth."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 2, 1895.

I HEREBY FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 41, entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine, approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within the Commonwealth.

This bill is an exact duplicate of one which received Executive approval June 28, 1895. By some mistake which has not been explained the bills reached me in duplicate. For the sole reason, therefore, that one has been approved, it becomes necessary to disapprove this, the duplicate.

DANIEL H. HASTINGS.

Veto of "An Act to Amend 'An Act to Authorize the Sheriff of the City of Philadelphia to Advertise the Sale of Real Estate in Three Daily Newspapers,' Providing for a Publication in the German Language."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 2, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 143, entitled "An act to amend an act, entitled 'An act to authorize the sheriff of the city of Philadelphia to advertise the sale of real estate in three daily newspapers,' which was approved on the third day of February, Anno Domini one thousand eight hundred and sixty, providing for a publication in the German language."

This bill proposes to amend a special act of the General Assembly relating to the city of Philadelphia, changing the law as to advertising sales of real estate by the sheriff and providing for the expense thereof. The bill is not objectionable so far as its matter is concerned, but I believe it to be in contravention of section seven of article three of the Constitution, which provides among other things that the "General Assembly shall not pass any local or special law * * * regulating the affairs of counties, cities, townships, wards, boroughs or school districts."

DANIEL H. HASTINGS.

Veto of "An Act to Amend 'An Act Relating to the Election and Duties of Supervisors, and the Collection of Road Taxes in the County of Franklin, by Providing for the Election of Four Supervisors in the Township of Guilford in Said County.'"

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 2, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 489, entitled "An act to amend a special act, entitled 'An act relating to the election and duties of supervisors, and the collection of road taxes in the county of Franklin, by providing for the election of four supervisors in the township of Guilford in said county.'"

This bill, as appears by the title, amends a special act of Assembly, relative to the election and duties of supervisors in certain townships in the county of Franklin. The effect of the bill is to so amend the special act as to give the township of Guilford in said county four supervisors instead of three as now entitled under existing law. This bill is in plain contravention of section seven of article three of the Constitution which provides amongst other things that the "General Assembly shall not pass any local or special law * * * * regulating the affairs of counties, cities, townships, wards, boroughs and school districts."

DANIEL H. HASTINGS.

Veto of "An Act to Prevent the Interference of Unauthorized Persons with the Electrical Conductors and Electrical Appliances and Machinery of Electric Light, Heat and Power Companies."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 2, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 156, entitled "An act to prevent the interference of unauthorized persons with the electrical conductors and electrical appliances and machinery of electric light, heat and power companies."

On June 25, 1895, I approved Senate bill No. 122, a bill almost identical in character with the bill under consideration. I therefore withhold my approval from this bill for the reason above stated.

DANIEL H. HASTINGS.

Veto of "An Act to Prohibit the Peddling, Selling or Hawking of Merchandise, Wares or Other Goods Within this Commonwealth Without a License."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 148, entitled "An act to prohibit the peddling, selling or hawking of merchandise, wares or other goods within this Commonwealth without a license."

The first section of the act provides "that no person or persons shall be employed or engaged or concerned

in the business or employment of hawking, peddling or selling merchandise, wares or other goods, or either or any of them, within this Commonwealth, without having previously taken out a license, which said license shall be issued by the court of quarter sessions of the respective counties, or any judge of the same in vacation, upon the applicant giving bond to the Commonwealth of Pennsylvania, with sureties to be approved by the said court or by the said judge during vacation, in the sum of three hundred dollars, conditioned that the applicant shall be of good behavior during the continuance of said license, and which said license shall be for one year from the date of the same." The second section provides for the amount of the annual license fees, and the third section makes it a misdemeanor if any person shall violate the provisions of the act.

This bill is severe in its provisions and I am prompted to withhold my approval from the same because, first, it requires a license in every county in which sales are made and the giving of a bond in such county, and secondly, because I believe its effect would be to legislate against the people of our own State and in favor of those of other states. I am of the opinion that it would be ineffective and inoperative as against persons, firms and corporations, resident in other states and sending agents into this State to make sales of their merchandise, wares or other goods. The effect, therefore, would be that our own citizens would be required to pay heavy license charges in order to make sales of their goods in the various counties of the State, while those from other states would not be subject to the burden.

DANIEL H. HASTINGS,

Veto of "An Act Authorizing the Manufacturers of Malt or Brewed Liquors to Sell their Own Product to Licensed Dealers Only Upon Payment into the Treasury of the Commonwealth of a Certain Annual Sum of Money."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1072, entitled "An act authorizing the manufacturers of malt or brewed liquors to sell their own product to licensed dealers only upon payment into the treasury of the Commonwealth of a certain annual sum of money."

This bill, should it become a law, would authorize any brewer of malt or brewed liquors within this Commonwealth, upon the payment of the sum of one thousand dollars into the State treasury, to sell and deliver to licensed liquor dealers the malt or brewed liquors manufactured at his brewery in packages of not less than twelve pint bottles or in casks of not less than one-eighth of a barrel. Under this bill licenses would be grantable as a matter of course to all brewers without exception, even to those whose applications for license might have been rejected by the court. A brewer, who had applied for and been refused a license on account of violation of the liquor laws, would be entitled, under this bill, to continue to sell, the only condition being the payment of the license fee named in the act. To approve this bill would be an innovation upon our license system, which, in my opinion, would not improve it.

DANIEL H. HASTINGS.

Veto of "An act to provide for the Selection of a Site and the Erection of a State Asylum for the Homeopathic Treatment of the Chronic and Epileptic Insane, to be Located at Titusville, to be called the State Asylum for the Homeopathic Treatment of the Chronic and Epileptic Insane of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 3, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1115, entitled "An act to provide for the selection of a site and the erection of a State asylum for the homeopathic treatment of the chronic and epileptic insane, to be located at Titusville, to be called the State Asylum for the homeopathic treatment of the chronic and epileptic insane of Pennsylvania and making an appropriation therefor."

This bill authorizes the appointment of commissioners to select a tract of land not less than five hundred nor more than one thousand acres in extent, so located as to be within convenient distance from the city of Titusville, and easy of access by railway. The proposed asylum is designed for the homeopathic treatment of the chronic and epileptic insane of Pennsylvania, and is a measure which appeals to me very strongly. Such an institution is much needed. Our asylums for the insane are overcrowded, and the unfortunate class of people are not receiving the tender care and treatment they should have. Furthermore, there is a strong public sentiment, with which I sympathize, in favor of the establishment of an asylum where the treatment is homeopathic. A very large class of our citizens demand it and with reason. The bill provides that the total cost of the buildings and

grounds shall not exceed the sum of three hundred thousand dollars, and, in order to purchase the land and begin the erection of the buildings, the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, is appropriated by the terms of the bill. My sole reason for withholding my approval from this measure is that the condition of the revenues of the State will not permit the expenditure at this time of the amount of money appropriated.

DANIEL H. HASTINGS.

Veto of "An Act for the Protection of Ruffed Grouse."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 166, entitled "An act for the protection of ruffed grouse."

This bill provides by its first section that "from and after the passage of this act and until the first day of January, one thousand nine hundred and five, it shall be unlawful at any period or season of the year to kill, entrap or pursue with intent to kill or entrap any ruffed grouse, commonly called pheasant, in any part of this Commonwealth, for the purpose of selling the same." The second section makes it unlawful for the proprietor, manager, clerk or agent of any market, or any other person, firm or corporation to sell or expose for sale any ruffed grouse or pheasant killed or entrapped within this Commonwealth. The fourth section makes it unlawful to ship or transport from this State into any other state or country any ruffed grouse

or pheasant killed within the borders of this State. By the fifth section in all prosecutions for violation of the act it is made necessary only to prove the sale, exposition or purchase in this State to raise the presumption that such sale, exposition or purchase was of ruffed grouse or pheasant killed or entrapped within this Commonwealth, and imposes the burden of proving otherwise upon the defendant in such prosecution. The sixth section makes all persons offending against the provisions of the act guilty of a misdemeanor, imposes a fine not exceeding three hundred dollars and imprisonment not exceeding one year or both or either, at the discretion of the court.

If this bill were to become a law, any citizen, however innocent, who presumed to have in his possession any ruffed grouse or pheasant, would be subject to prosecution and would be obliged to prove, in order to escape conviction, that such ruffed grouse or pheasant was not killed or entrapped within the State. This it might frequently be impossible to do. He might be entirely innocent of any intent to violate the law, and yet be unable to prove his innocence. It is contrary to the plainest dictates of justice and is not in consonance with our penal and criminal system to impose the duty of proving innocence upon the defendant. Legislation of this character is oppressive and inquisitorial and violative of the well recognized rights of all our citizens.

It is a matter of regret on the part of the Executive that a well considered bill was not passed by the legislature of 1895 for the protection of game and game birds. It is a subject that deserves the careful consideration of the legislature and of the Executive. I trust that proper legislative action may not be unnecessarily delayed.

DANIEL H. HASTINGS.

Veto of "An Act for the Protection of the Nests and Eggs of Game Birds."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 3, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 272, entitled "An act for the protection of the nests and eggs of game birds."

This bill provides, under penalties, "that no person, for any reason or purpose whatever, shall take, have in his or her possession or under control, break up or destroy, or in any manner interfere with the nest or the eggs of any game bird."

The object of this bill is no doubt praiseworthy, but, as drawn and passed by the General Assembly, would subject every museum of natural history collecting eggs to the penalty prescribed therein. For this reason I withhold my approval.

DANIEL H. HASTINGS.

Veto of "An Act Amending and Extending 'A supplement to "An Act to Provide for the Incorporation and Regulation of Certain Corporations." Providing for the Further Regulation of Such Corporations, and for the Incorporation and Regulation of Certain Additional Corporations.' Providing for the Incorporation and Regulation of Associations for the Transaction of the Business of Real Estate Brokers."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 3, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 388, entitled "An act amending and extending sub-division sixteen of section second of an act entitled 'A supplement to an act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, entitled "An act to provide for the incorporation and regulation of certain corporations," providing for the further regulation of such corporations,' approved the seventeenth day of April, Anno Domini one thousand eight hundred and seventy-six, providing for the incorporation and regulation of associations for the transaction of the business of real estate brokers."

This bill extends the provisions of a supplement to the act approved the twenty-ninth day of April, one thousand eight hundred and seventy four, entitled "An act to provide for the incorporation and regulation of certain corporations, providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations," approved the seventeenth day of April, one thousand eight hundred and seventy-six, and provides for the incorporation and regulation of associations for the transaction of the business of real estate brokers.

If the provisions of the bill under consideration went no further than to authorize the incorporation of companies to transact business as real estate brokers, it would receive Executive approval, but, in addition to the conferring of such power, it provides that "every such corporation shall have the authority, either upon its own behalf or upon commission as agent or broker for other corporations, associations or individuals, to purchase, sell, pledge, mortgage and lease real estate or personal property, to collect rents and care for property, to purchase and sell mortgages, bonds or other securities or evidences of indebtedness, to lend, negotiate or procure loans upon mortgages, bonds or other securities or evidences of indebtedness, to procure or place as agent policies of insurance upon real estate or personal property, and to charge and collect from its principals commissions and compensation for its services."

It will be noted that the title of the bill indicates that the purpose of the legislation is "for the incorporation and regulation of associations for the transaction of the business of real estate brokers," but such associations are endowed, by the terms of the bill, with all the powers, not only of real estate brokers, but they are authorized to purchase and sell mortgages, bonds or other securities or evidences of indebtedness, to lend, negotiate or procure loans upon mortgages, bonds or other securities or evidences of indebtedness, and to act as insurance agents, thus giving them, not only the powers of real estate brokers, but that of note brokers and insurance agents as well. The policy of our corporation laws is to authorize a corporation to transact a business single in its purpose, whereas the bill under consideration proposes to give to real estate brokers the added powers of note brokers and insurance agents. I think the legislation decidedly objectionable, not only for the reason that the title does not

clearly declare the purpose of the bill, but because of the policy of the measure.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Pension to Jeremiah Woodhull."

Commonwealth of Pennsylvania.
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE, IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 331, entitled "An act granting a pension to Jeremiah Woodhull."

Section 18 of article III of the Constitution of Pennsylvania provides that "No appropriations, except for pensions or gratuities for military purposes, shall be made for charitable, educational or benevolent purposes to any person." This bill provides a pension for Jeremiah Woodhull the father of Sherman H. Woodhull, who was a corporal of Company E, Tenth regiment, National Guard of Pennsylvania. It is not shown that Jeremiah Woodhull rendered any military service to the State and under the section of the Constitution referred to no pension can be granted. I therefore withhold my approval to this bill.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Gratuity to James Dower, Sr., Father of James Dower, Jr., a Private in Company E, of the Eighth Regiment, National Guard of Pennsylvania, for Expenses Incurred and Loss Sustained by Reason of the Illness and Death, from Typhoid Fever, of Said James Dower, Jr., contracted in the Service of the National Guard, at Gettysburg Encampment, During the Month of August, One Thousand Eight Hundred and Ninety-Four."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE, IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 446, entitled "An act to grant a gratuity to James Dower, Sr., father of James Dower, Jr., a private in Company "E," of the Eighth regiment, National Guard of Pennsylvania, for expenses incurred and loss sustained by reason of the illness and death from typhoid fever of the said James Dower, Jr., contracted in the service of the National Guard at Gettysburg encampment during the month of August, one thousand eight hundred and ninety-four."

This bill is disapproved for the reasons set forth in the veto of House bill No. 351.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Gratuity to John Augustine, Father of Henry F. Augustine, a Private in Company E, of the Eighth Regiment, National Guard of Pennsylvania, for Expenses Incurred and Loss Sustained by reason of the illness and Death, from Typhoid Fever, of Said Henry F. Augustine, Contracted in the Service of the National Guard, at Gettysburg Encampment, During the Month of August, One Thousand Eight Hundred and Ninety-Four."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, Senate bill No. 447, entitled "An act granting a gratuity to John Augustine, father of Henry F. Augustine, a private in Company "E," of the Eighth regiment, National Guard of Pennsylvania, for expenses incurred and loss sustained by reason of the illness and death from typhoid fever of said Henry F. Augustine, contracted in the service of the National Guard at Gettysburg encampment during the month of August, one thousand eight hundred and ninety four."

This bill is disapproved for the reasons set forth in the veto of House bill No. 351.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the Partial Payment to Sarah J. Dennis, a Widow and Mother of Charles Dennis, Per Diem Compensation Due the Said Charles Dennis, a Member of the National Guard of Pennsylvania During the Time of His Disability, Produced by Sickness Which he Contracted in the Service at Homestead, Pennsylvania, and to Cover Medical Attendance, Drug Bill, Nursing and Funeral Expenses of Said Charles Dennis."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 458, entitled "An act to provide for the partial payment to Sarah J. Dennis, a widow and mother of Charles Dennis per diem compensation due the said Charles Dennis, a member of the National Guard of Pennsylvania during the time of his disability produced by sickness which he contracted in the service at Homestead, Pennsylvania, and to cover medical attendance, drug bill, nursing and funeral expenses of said Charles Dennis."

This bill is disapproved for the reasons set forth in the veto of House bill No. 351.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Pension to Louis Arsell."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 277, entitled "An act granting a pension to Louis Arsell."

This is one of six bills granting pensions to persons whose term of service varies from fifty-five days to twelve days, and which service was rendered thirty-two years ago. The disabilities upon which these claims are based are of various kind, including railroad accident, varicose veins, injury by being thrown from a horse, rupture, &c. These disabilities must have existed some years ago and the delay in presenting these claims would be almost conclusive against them. Moreover, there is no evidence of any kind submitted, and nothing on which to base these claims except the recitals in the various preambles. In previous vetoes by my predecessors attention has been called to the necessity of having some regular system of pensions adopted and some general law providing for the proper and systematic adjudication of cases of this character.

For the reasons herein stated, I withhold my approval from the bill.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Pension to Evan James."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 444, entitled "An act granting a pension to Evan James."

This bill is disapproved for the reasons set forth in the disapproval of House bill No. 277.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Pension to John F. Gilbert,"

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 460, entitled "An act granting a pension to John F. Gilbert."

This bill is disapproved for the reasons set forth in the disapproval of House bill No. 277.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Pension to John F. Coller."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 493, entitled "An act granting a pension to John F. Coller."

This bill is disapproved for the reasons set forth in the disapproval of House bill No. 227.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Pension to Augustus Burkit."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 616, entitled "An act granting a pension to Augustus Burkit."

This bill is disapproved for the reasons set forth in the disapproval of House bill No. 277.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Pension to George Weidner of Berks County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 649, entitled "An act granting a pension to George Weidner of Berks county."

This bill is disapproved for the reasons set forth in the disapproval of House bill No. 277.

DANIEL H. HASTINGS.

Veto of "An Act to Grant a Pension to Charles J. Taylor, late of B Company, Tenth Regiment, National Guard of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 588, entitled "An act to grant a pension to Charles J. Taylor, late of B company, Tenth regiment, National Guard of Pennsylvania."

This bill proposes an annuity of ninety-six dollars so long as "said disability continues." No proof whatever is given as to the disability existing at this time or that it was incurred in the line of duty. Such a statement is made in the preamble but this cannot be

considered as affording any proof of the justice of the claim. To approve legislation of this character in the absence of proper medical and other testimony would be extremely dangerous, and I therefore withhold my approval to this bill.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the partial Payment, Per Diem, to John Stark, a Member of the National Guard of Pennsylvania, During the Time of His Disability, Produced by Typhoid Fever, Which He Contracted in the Service of the State at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 586, entitled "An act to provide for the partial payment per diem to John Stark, a member of the National Guard of Pennsylvania during the time of his disability produced by typhoid fever which he contracted in the service of the State at Homestead, Pennsylvania."

I withhold my approval to this bill for the reason set forth in the veto of House bill No. 588.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the Partial Payment, of Per Diem Compensation, to Sergeant William D. Smith, a Member of Company A, Twelfth Regiment, National Guard of Pennsylvania, During the Time of His Disability, Produced by Typhoid Fever, which He Contracted in the Service of the State at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 636, entitled "An act to provide for the partial payment of per diem compensation to Sergeant William D. Smith, a member of Company A, Twelfth regiment, National Guard of Pennsylvania, during the time of his disability produced by typhoid fever, which he contracted in the service of the State at Homestead, Pennsylvania."

I withhold my approval to this bill for the reasons set forth in the veto of House bill No. 588.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the Partial Payment, Per Diem Compensation, to Henry A. Parsons, Jr., a Member of the National Guard of Pennsylvania, During the Time of His Disability, Produced by Inflammation of the Bowels, which He Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 637, entitled "An act to provide for the partial payment per diem compensation to Henry A. Parsons, Jr., a member of the National Guard of Pennsylvania during the time of his disability produced by inflammation of the bowels which he contracted in the service at Homestead, Pennsylvania."

I withhold my approval to this bill for the reasons set forth in the veto of House bill No. 588.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the Partial Payment, Per Diem Compensation, to S. M. McClintock, a Member of the National Guard of Pennsylvania, During the Time of His Disability, Produced by Typhoid Fever, which he Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 712, entitled "An act to provide for the partial payment per diem compensation to S. M. McClintock, a member of the National Guard of Pennsylvania during the time of his disability produced by typhoid fever which he contracted in the service at Homestead, Pennsylvania."

I withhold my approval to this bill for the reasons set forth in the veto of House bill No. 588.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Pension to Rachel Watson, of Lancaster County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 602, entitled "An act granting a pension to Rachel Watson of Lancaster county."

Section 18 of article III of the Constitution of Pennsylvania prohibits the granting of pensions to persons who have not rendered military service. It is not contended in this bill that any military service was rendered by the person to be pensioned. Moreover, the recital in the preamble states that the husband of Rachel Watson was not even mustered into the United States service. I therfore decline to approve this bill.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for the Partial Payment, Per Diem Compensation, to Richard D. Anthony, a Member of the National Guard of Pennsylvania, During the Time of His Disability, Produced by Typhoid Fever, which He Contracted in the Service at Homestead, Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto House bill No. 276, entitled "An act to provide for the partial payment per diem compensation to Richard D. Anthony, a member of the National Guard of Pennsylvania during the time of his disability produced by typhoid fever which he contracted in the service at Homestead, Pennsylvania."

In this case unlike some others there was some proof submitted but it is entirely insufficient, no direct proof being given to show that the illness of the said Richard D. Anthony was the result of his service. The proof being insufficient, I withhold my approval of this bill.

DANIEL H. HASTINGS.

Veto of "An Act for the Relief of David Wilson, Late First Sergeant of Company C, of Third Regiment, of Pennsylvania Militia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 461, entitled "An act for the relief of David Wilson, late first sergeant of Company C of Third regiment of Pennsylvania militia."

This bill provides an annuity of twelve dollars per month stated to be for injury to right hand and arm by the accidental discharge of a musket through no neglect or carelessness of his own, but during the faithful discharge of his duty as sergeant. Attention has been repeatedly called to the necessity of submitting proper proof to substantiate statements set forth in preambles to bills of this character and also to the danger in approving without such proof. There being no proof of any kind filed in this case, Executive approval is withheld from this bill.

DANIEL H. HASTINGS.

Veto of "An Act to Provide for Compensation to Martin C. Bartzer, a Private in Company D, of the Sixth Regiment of the National Guard of Pennsylvania, for Expenses Incurred and Loss Sustained by Reason of the Illness of Said Martin C. Bartzer, Contracted in the Service of the National Guard at Gettysburg Encampment, During the Month of August, one Thousand Eight Hundred and Ninety-Four."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 725, entitled "An act to provide for the compensation to Martin C. Bartzer, a private in Company D, of the Sixth regiment, of the National Guard of Pennsylvania for expenses incurred and loss sustained by reason of the illness of said Martin C. Bartzer, contracted in the service of the National Guard at Gettysburg encampment, during the month of August, one thousand eight hundred and ninety-four."

Executive approval is withheld from this bill for reasons set forth in disapproval of House bill No. 461.

DANIEL H. HASTINGS.

Veto of "An Act Granting a Gratuity to John L. Wadsworth for Expenses Incurred and Wages Lost During the Time of His Disability, Produced by Typhoid Fever, Contracted while in the Service of the National Guard at Gettysburg Encampment, During the Month of August, One Thousand Eight Hundred and Ninety-Four."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 730, entitled "An act granting a gratuity to John L. Wadsworth for expenses incurred and wages lost during the time of his disability produced by typhoid fever contracted while in the service of the National Guard at Gettysburg encampment during the month of August, one thousand eight hundred and ninety-four."

Executive approval is withheld from this bill for reasons set forth in disapproval of House bill No. 451.

DANIEL H. HASTINGS.

Veto of "An Act for the Relief of Thomas H. F. Randolph, Late Third Corporal of Company E, Sixth Regiment of Pennsylvania Militia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 3, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, with my objections thereto, House bill No. 741, entitled "An act for the relief of Thomas H. F. Randolph, late third

corporal of company E, Sixth regiment of Pennsylvania militia."

This bill provides an annuity of six dollars per month for Thomas H. F. Randolph, late third corporal of Company E, Sixth regiment of Pennsylvania militia. It is stated in the preamble of the act that "On the twenty-second day of July, Anno Domini one thousand eight hundred and seventy seven, Thomas H. F. Randolph, late third corporal of company E, Sixth regiment of Pennsylvania militia, while serving with his regiment in quelling the riots in the city of Pittsburg, Pennsylvania, was wounded by a musket ball fired by one of the rioters which fractured one of his legs and resulted in a permanent injury." By reference to the records of the Sixth regiment it was found that the name of Thomas H. F. Randolph does not appear on the rolls of Company E. The name of Thomas Randolph appears as fourth corporal, not third. If Thomas H. F. Randolph and Thomas Randolph are one and the same person, then the inspection roll of that company shows that at the annual inspection of company E, Sixth regiment, held September 24, 1877, two months after the alleged wounding of Corporal Randolph, that he appears to have been on duty as a member of the National Guard. Moreover, there is an incompleteness of evidence to substantiate this claim that will not warrant Executive approval, and I therefore decline to approve this bill.

DANIEL H. HASTINGS.

Veto of "A Further Supplement to 'A Supplement to "An Act to Establish an Insurance Department," Providing for the Further Regulation of Foreign Insurance Companies, and Relating to Agents and Others Doing Business with Unauthorized Insurance Companies, and Defining Penalties Therefor."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 236, entitled "A further supplement to an act, entitled 'A supplement to an act, entitled "An act to establish an insurance department," approved April fourth, one thousand eight hundred and seventy-three, providing for the further regulation of foreign insurance companies and relating to agents and others doing business with unauthorized insurance companies and defining penalties therefor,' approved April twenty-sixth, one thousand eight hundred and eighty-seven."

Under existing law any person or corporation desiring a larger line of insurance than can be furnished by home companies and insurance companies or associations not of this State, but authorized to do business within this State, shall file a sworn statement to that effect with the Insurance Commissioner, and the Insurance Commissioner being satisfied of the truth thereof, shall issue a license to the person or corporation making such application, whereupon it shall be lawful for the person or corporation, so licensed as aforesaid, to procure such excess line of insurance beyond that which the home and authorized foreign companies shall be willing to carry, from unauthorized insurance companies or associations not of this State; and every person or corporation so licensed shall, at

the time of expiration of said license, make a report to the Insurance Commissioner of all insurance effected in pursuance of such license, and pay a tax of six per centum on the gross premiums thereon, which said tax shall accompany said returns.

This bill proposes to amend existing law so as that the Insurance Commissioner shall be authorized to issue to citizens of this State such license in consideration of the yearly payment of two hundred dollars, and such licensee is authorized to act as agent or agents, and procure policies of fire insurance for themselves or others on property in this State in companies which shall not have complied with the laws of this State; and provides that in counties having less than one hundred thousand inhabitants the license fee for such agents shall be twenty-five dollars. The proposed bill further provides that the agents shall not exceed two hundred in number and shall pay to the Insurance Commissioner, in January and July of each year, the sum of two per centum upon the amount of gross premiums, less return premium charged to policy holders upon all policies procured by such agent during the preceding six months, pursuant to this act. Section four of the act provides that all fire insurance policies issued to residents of this State on property located herein, by companies that have not complied with the requirements of the general insurance laws of the State, shall be null and void and of no force and effect whatever, except such as have been procured in the manner provided by this act.

It will be seen that, under existing law, any person or corporation who is unable to procure a sufficient line of insurance in domestic companies, and in foreign companies authorized to do business in this State, may procure such additional insurance from foreign companies not authorized to do business in this State, by

procuring a license therefor, and paying six per centum to the State upon the gross premiums paid for such insurance. The effect of this bill would be to take away the right of the citizen thus to insure, and require him to obtain such insurance through a licensed agent, who is required to pay a license fee and two per centum upon the gross premiums.

I am of the opinion that this bill is in the interest of insurance agents rather than in the interest of the citizen, and that the existing law, which permits the citizen to act for himself, is much better than the proposed act.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Germantown Dispensary and Hospital in the Twenty-Second Ward of the City of Philadelphia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE IN THE OFFICE OF THE Secretary of the Commonwealth, Senate bill No. 695, entitled "An act making an appropriation to the Germantown Dispensary and Hospital, in the Twenty-second ward of the city of Philadelphia."

This bill appropriates the sum of seven thousand dollars to the institution named in the title for the purpose of maintenance. While I have no doubt of the merit of this institution, the condition of the State's revenues is such as not to warrant the incurring of any new obligations at this time.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the West Philadelphia Hospital for Women."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1075, entitled "An act making an appropriation to the West Philadelphia Hospital for Women."

This bill is disapproved for the reasons given for the disapproval of Senate bill No. 695, entitled "An act making an appropriation to the Germantown Dispensary and Hospital, in the Twenty-second ward of the city of Philadelphia."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Southeastern Dispensary and Hospital for Women and Children in the City of Philadelphia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1010, entitled "An act making an appropriation to the Southeastern Dispensary and Hospital for Women and Children, in the city of Philadelphia."

This bill is disapproved for the reasons given for the disapproval of Senate bill No. 695, entitled "An act

making an appropriation to the Germantown Dispensary and Hospital, in the Twenty-second ward of the city of Philadelphia."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Philadelphia Home for Incurables."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1014, entitled "An act making an appropriation to the Philadelphia Home for Incurables."

This bill is disapproved for the reasons given for the disapproval of Senate bill No. 695, entitled "An act making an appropriation to the Germantown Dispensary and Hospital, in the Twenty-second ward of the city of Philadelphia."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Northwestern Pennsylvania Humane Society of Erie."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1061, entitled "An act making an appropriation to the Northwestern Pennsylvania Humane Society of Erie."

This bill is disapproved for the reasons given for the disapproval of Senate bill No. 695, entitled "An act making an appropriation to the Germantown Dispensary and Hospital, in the Twenty-second ward of the city of Philadelphia."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Kane Summit Hospital Association of Kane, McKean County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1120, entitled "An act making an appropriation to the Kane Summit Hospital Association of Kane, McKean county."

This bill is disapproved for the reasons given for the disapproval of Senate bill No. 695, entitled "An act making an appropriation to the Germantown Dispensary and Hospital, in the Twenty-second ward of the city of Philadelphia."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Samaritan Hospital of Philadelphia.

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1125, entitled "An act making an appropriation to the Samaritan Hospital, of Philadelphia."

This bill is disapproved for the reasons given for the disapproval of Senate bill No. 695, entitled "An act making an appropriation to the Germantown Dispensary and Hospital, in the Twenty-second ward of the city of Philadelphia."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Wills Eye Hospital of Philadelphia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1022, entitled "An act making an appropriation to the Wills Eye Hospital of Philadelphia."

This bill is disapproved for the sole reason that the revenues of the State will not at this time warrant the appropriation. I regret greatly that it is necessary to deprive this well-known hospital of the appropriation made by this bill.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Pittsburg and Allegheny Free Kindergarten Association."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1041, entitled "An act making an appropriation to the Pittsburg and Allegheny Free Kindergarten Association."

Under the provisions of Senate bill No. 27, session of 1895, which has been approved and is now law, subdistrict school boards, boards of control or boards of education, in cities of the second class in this Commonwealth, are authorized to co-operate with regularly organized kindergarten associations, and may appropriate from the school funds such class in this Commonwealth, are authorized to co-operate with regularly organized kindergarten associations, and may appropriate from the school funds such sums as may be required properly to conduct kindergarten schools. This bill would, therefore, seem to be unnecessary, particularly in view of the condition of the revenues of the State.

DANIEL H. HASTINGS.

Veto of "An Act to return to A. C. Patterson the Sum of Three Hundred and Five Dollars Paid by Him Into the State Treasury, Through the Department of Internal Affairs of the Commonwealth of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 519, entitled "An act to return to A. C. Patterson the sum of three hundred and five dollars paid by him into the State Treasury, through the Department of Internal Affairs of the Commonwealth of Pennsylvania."

By the terms of this bill it is proposed to return to A. C. Patterson the sum of three hundred and five dollars, being the amount paid to the Department of Internal Affairs on application made for a patent for an island in the Ohio river, the title to which, it is alleged, passed to one Frank R. Nesbit on patent granted to him.

This bill would establish a bad precedent. The State does not guarantee the title to the lands mentioned in its letters patent, and this fact is well known to everyone who makes application for a patent.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Spring Garden Institute of Philadelphia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1919, entitled, "An act making an appropriation to the Spring Garden Institute of Philadelphia."

I withhold my approval from the above bill making an appropriation to this valuable educational institution solely for the reason that the revenues of the State will not warrant the expenditure at this time.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Pennsylvania Prison Society."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1917 entitled "An act making an appropriation to the Pennsylvania Prison Society."

This bill appropriates the sum of two thousand dollars for the relief of prisoners discharged from the Eastern Penitentiary. The appropriation to the penitentiary includes a gratuity for discharged prisoners, therefore making this appropriation unnecessary. For this reason my approval is withheld.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Allegheny County Society for Alleviating the Miseries of Public Prisons."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1030, entitled "An act making an appropriation to the Allegheny County Society for alleviating the miseries of public prisons."

This bill is disapproved for the reasons set forth for the disapproval of House bill No. 1017, entitled "An act making an appropriation to the Pennsylvania Prison Society."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation Towards the Maintenance of the Home of Industry for Discharged Prisoners of the City of Philadelphia, and the State of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1043, entitled "An act making an appropriation towards the maintenance of the Home of Industry for discharged prisoners of the city of Philadelphia and the State of Pennsylvania."

This bill is disapproved for the reasons set forth in my disapproval of House bill No. 1017, entitled "An act making an appropriation to the Pennsylvania Prison Society."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Memorial Hospital Association of Monongahela City."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1170, entitled "An act making an appropriation to the Memorial Hospital Association of Monongahela City."

This bill is disapproved for the reason that the institution has no hospital building, as I am informed, and permitted a similar appropriation, made by the General Assembly of 1893, to lapse because of non-compliance with the conditions contained in the bill. Those conditions were the same as in the bill under consideration. At this time I regard it as important that the State should incur no new obligations.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Conoquenessing Valley Hospital Association, Located in the Borough of Butler."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1108, entitled "An act making an appropriation to the Conoquenessing Valley Hospital Association, in the borough of Butler."

This bill is disapproved for the reasons set forth for the disapproval of House bill No. 1107, entitled "An act making an appropriation to the Memorial Hospital Association of Monongahela City."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Wagner Free Institute of Science."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1137, entitled 'An act making an appropriation to the Wagner Free Institute of Science."

This bill makes an appropriation of four thousand dollars to the institution named in the title. The Wagner Free Institute is educational in character, and

I have no doubt, meritorious, but to approve appropriations of this character would necessitate the cutting off of absolutely necessary appropriations to the hospitals of the State, and for that reason this bill is disapproved.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Academy of Natural Sciences of Philadelphia."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1190, entitled "An act making an appropriation to the Academy of Natural Sciences of Philadelphia."

This bill is disapproved for the reasons set forth for the disapproval of House bill No. 1137, entitled "An act making an appropriation to the Wagner Free Institute of Science."

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the Grove City College."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 5, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1165, entitled "An act making an appropriation to the Grove City College."

This bill is disapproved for the reason that the condition of the revenues of the State will not, at this time, permit an appropriation of this character.

DANIEL H. HASTINGS.

Veto of "An Act in Relation to the Supply of Water Within Cities and Boroughs, and Giving Such Municipalities Authority and Control Over and Against Incorporated Companies and Persons Supplying Water Within their Limits, and Also in Relation to Such Municipalities Acquiring the Plants of Such Companies, and Providing for or Procuring a Supply of Water to the Public."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, July 6, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 48, entitled "An act in relation to the supply of water within cities and boroughs, and giving such municipalities authority and control over and remedies against incorporated companies and persons supplying water within their limits, and also in relation to such municipalities acquiring the plants of such companies and providing for or procuring a supply of water to the public."

The scope and intent of this measure are to so change existing law as to prevent competition on the part of cities and boroughs when incorporated water companies supply water in such cities and boroughs. By the terms of the bill the municipality must purchase or condemn the works of water companies that may be supplying water to the public before it is permitted to erect works of its own. This legislation is most im-

portant in character and has received widespread consideration by the people of the State. The friends of the measure insist that it is necessary, in order to protect invested capital against a competition on the part of the municipality that might be such as to seriously impair, if not destroy, the value of such investments. On the other hand, it is contended that to take away from cities and boroughs the power which they now have to furnish water for fire protection and commercial purposes, would deprive them of a most important municipal power, necessary to secure an adequate supply of water and to protect the public from exorbitant charges, and that, while it is a power that may not be exercised, yet it should remain inviolate as a protection to the citizens against the power of private corporations. Under existing law there is no exclusive right vested in water companies as against the municipality itself, so that the approval of this bill would work a change of the most radical kind and take away from cities and boroughs a right and power which heretofore it has been deemed wise that they should possess, and which, in many instances, have been exercised.

The bill under consideration provides that "no city or borough shall hereafter construct any pipe, conduit or duplicate system of distribution for the supply of water or cause or procure the same to be done, or supply or cause water to be supplied through any pipe or conduit hereafter constructed in or along any street or highway, or part thereof, along which water is at the time supplied to the public through any pipe or conduit by any person or company lawfully authorized." There can be no mistaking the import of this language. The condition upon which cities or boroughs could supply water hereafter, should this bill become a law, would be the purchase or condemnation of the water works already in existence in the munici-

pality. It is true the bill provides that the condemnation proceedings the measure of damages to be considered and awarded by the viewers or jurors shall be limited to the actual value of the works or property so taken and acquired by such municipality, but it is clear under existing law that "the works and property" would include not only the physical structures and appliances, but would also include the franchise of the corporation. It may have been intended by the use of the language "value of the works and property" that it should not be taken to include the value of the franchise; but under our law franchises are property, and no city or borough could condemn and take a water plant without paying its value, which would include the value of the franchises. The effect would necessarily be, in many instances, in case of condemnation, to impose upon the people of the municipality burdens in the way of taxation to pay not only for water works that may be unsuitable in kind, insufficient in extent and practically useless for the needs of the municipality, but also pay for a franchise they now possess.

I have patiently heard and duly considered the very numerous and able arguments in favor of this bill, and while, in a few instances, municipalities have not acted with fairness to water companies, and investors in such companies may have suffered loss that in justice they should not have suffered, yet I am irresistibly led to the conclusion that looking to the interests of all the people in all the cities and boroughs in the Commonwealth, I should withhold my approval from this bill. An article of such prime necessity as water should be the last subject in which a monopoly is permitted. The public health and the comfort of the individual citizen are involved in this measure, and I cannot bring myself to believe that any legislation should be permitted that would in any degree restrain the cities and

boroughs of the State from conserving the one and promoting the other by proper municipal action.

DANIEL H. HASTINGS.

Veto of "An Act Authorizing the Appointment of a Stenographer and Typewriter in the Office of the Health Officer of the Port of Philadelphia, and Fixing the Salary."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 6, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 508, entitled "An act authorizing the appointment of a stenographer and typewriter in the office of the Health Officer of the port of Philadelphia and fixing the salary."

This bill authorizes the appointment of a stenographer and typewriter in the office of the Health Officer of the port of Philadelphia, at a salary not to exceed one thousand dollars per annum.

I have endeavored to obtain information as to whether a necessity exists for this appointment, and am constrained to believe that legislative authority for such appointment may well be postponed. My information is not such as to justify my approval.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation for the Purpose of Assisting in the Erection and Furnishing of a Hospital and Dispensary in the City of Allentown, Lehigh County."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 6, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 657, entitled 'An act making an appropriation for the purpose of assisting in the erection and furnishing of a hospital and dispensary in the city of Allentown, Lehigh county."

This bill is disapproved for the reason that it makes an appropriation for erecting and furnishing of a new building. Owing to the falling off of the revenues of the State the Executive has been obliged in his effort to keep the expenditures within the revenues to adopt some consistent plan, and it has been deemed wise to withhold approval of such bills as provided for the erection of new structures, approving those, or such parts of those, as provided for the maintenance of the charitable institutions of the State.

DANIEL H. HASTINGS.

Veto of "An Act to Provide an Appropriation for the Purchase of William Penn's Charter of Liberties to the Province of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 6, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, Senate bill No. 662, entitled 'An act to provide an appropriation for the purchase of William Penn's Charter of Liberties to the Province of Pennsylvania."

This bill appropriates the sum of fifteen thousand dollars to purchase the document known as "William Penn's Charter of Liberties to the Province of Pennsylvania."

In the present condition of the finances of our State, when our charitable institutions, existing wholly or in part by State aid, are in urgent need of all moneys that can be spared, I deem it improper to give my approval to the measure under consideration.

DANIEL H. HASTINGS.

Veto of "An Act Relating to the Use of Oils or Other Products for Illuminating Purposes in Anthracite or Bituminous Coal Mines."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 6, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 349, entitled "An act relating to the use of oils or other products for illuminating purposes in anthracite or bituminous coal mines."

This bill provides "that hereafter only such oils or other products shall be sold or furnished to miners, or used or allowed to be used by them, for illuminating purposes in anthracite or bituminous coal mines, as will produce in a chimneyless mining lamp, other than safety lamps, from a wick with a three-eights inch burning surface, a smokeless flame at least one and three-fourths inches in height;" and the bill further provides that any mine owner, operator, storekeeper

or other person, natural or artificial, selling or furnishing to miners any other oil or product, or allowing the same to be used in any anthracite or bituminous coal mine, owned or operated by him, and any miner using any other oil or product for illuminating purposes in anthracite or bituminous coal mines, than such as will produce the standard flame before mentioned, shall be guilty of a misdemeanor, and, upon conviction thereof shall be punished by a fine not exceeding five hundred dollars "or undergo an imprisonment not exceeding six months, or both, at the discretion of the court."

Whether such oils as will produce, in a chimneyless mining lamp, from a wick with a three-eighths inch burning surface, a smokeless flame, are the only oils that should be permitted to be used in mines, is at least problematical, and I am not convinced that this legislation would be in the interest of the mine owner or the miner. It would seem to be rather in the interest of a certain grade or character of oil and the owner of a certain kind of lamp. I deem legislation of this character unwise. Mine owners and miners are the parties most interested in procuring and using such kinds of oil and such character of lamp as will be least dangerous to human life, and I think it better that they should not be hampered by legislation. Furthermore, this bill requires under the penalties above mentioned, such a knowledge of the character of the oils and lamps to be used as is unreasonable and would likely prove oppressive if the bill should be enforced, as I must assume it would be.

DANIEL H. HASTINGS.

Veto of "An Act to Give Preference of Appointment or Employment to Honorably Discharged Soldiers, Sailors and Marines who Fought for the Union Cause in the Late War of the Rebellion, Making a Disregard Thereof a Misdemeanor, Punishable by a Fine."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 6, 1895.

I FILE HEREWITH, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 515, entitled "An act to give preference of appointment or employment to honorably discharged soldiers, sailors and marines who fought for the Union cause in the late war of the rebellion, making a disregard thereof a misdemeanor punishable by a fine."

This bill provides by its first section that "in every public department and upon all public works" of the State of Pennsylvania, honorably discharged Union soldiers, sailors and marines of the late rebellion shall be preferred for appointment and employment. Age, loss of limb or other physical impairment which does not in fact incapacitate shall not be deemed to disqualify them, provided they possess the other requisite qualifications.

The second section provides that a failure to comply with the provisions of the act shall be a misdemeanor, and any such official or other person aforesaid, upon conviction thereof, shall pay a fine of not exceeding two hundred dollars.

The effect of this legislation would be to require the head of every department of the State government and the contractors upon all public works of the State to prefer by way of appointment and employment Union soldiers, sailors and marines, and would impose upon

the heads of departments and contractors of public works the duty of determining whether or not age, loss of limb or other physical impairment in fact incapacitated or disqualified them for the performance of the work imposed upon them; and a mistake of judgment in that regard is made a misdemeanor.

It is now the policy of the heads of the departments of the State governments, and should continue to be their policy, to prefer honorably discharged soldiers and sailors in the selection of their employes, but I deem it unwise in policy to inquire such duty by legislation and to impose penalties for its non-performance. The head of each department is made responsible for the administration of its affairs, and in the employment of his subordinates should not be hampered by legislation of this character. The same is true of contractors upon public works. Neither, in my judgment, should be subject to such provisions as are contained in this act. I do not believe it to be in the interest of the best public service. In case this bill should become a law, it would put it in the power of every soldier and sailor making application for appointment to office in the several departments of the State or for employment by any contractor upon public works, who had been refused such appointment or employment, to prosecute in the courts such heads of departments and contractors, with the result, not only of controlling the judgment of the appointing power, but punishing him for the exercise of a discretion, however honestly exercised, in case a jury should reach a different conclusion.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to the State College to Establish and Maintain Experimental Stations for the Purpose of Making Experiments in the Culture, Curing and Preparation of Tobacco and Providing for the Publication of the Report Thereof."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 6, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1059, entitled "An act making an appropriation to the State College to establish and maintain experimental stations for the purpose of making experiments in the culture, curing and preparation of tobacco, and providing for the publication of the report thereof."

This bill makes an appropriation to the State College to establish and maintain experimental stations for the purpose of making experiments in the culture, curing and preparation of tobacco, and is disapproved for the reason that the revenues of the State will not warrant any expenditures at this time except for such purposes as are absolutely necessary.

DANIEL H. HASTINGS.

Veto of "An Act Making an Appropriation to Pay A. Merill, who was Deputized by George R. Hoopes, Sergeant-at-Arms of the House of Representatives of One Thousand Eight Hundred and Ninety-Three, for Attendance Upon E. M. Tewksbury, a Member of the House of Representatives of that Session During His Serious Illness While in Harrisburg, and for Removing Him to His Home."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 6, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1169, entitled 'An act making an appropriation to pay A. Merill, who was deputized by George R. Hoopes, sergeant-at-arms of the House of Representatives of one thousand eight hundred and ninety-three, for attendance upon E. M. Tewksbury, a member of the House of Representatives of that session, during his serious illness, while in Harrisburg, and for removing him to his home."

Mr. Tewksbury was a member of the House of Representatives and was taken sick while in attendance during the session of 1893. I withhold my approval from this bill for the reason that an expenditure of this character is not such as the State should make. If the sergeant-at-arms had power to incur this obligation, he would have equal power to bind the State for medical attendance or any other expense incident to the sickness of a member. Such a precedent as this should not be established.

DANIEL H. HASTINGS.

Veto of "An Act Providing for the removal of the Penitentiary for the Eastern District of Pennsylvania from Its Present Location, the Selection of a Site and Erection Thereon of a Building of Larger Capacity, and Making an Appropriation Therefor."

Commonwealth of Pennsylvania,
Executive Department,
Harrisburg, Pa., July 6, 1895.

I HEREWITH FILE, WITH MY OBJECTIONS, IN the office of the Secretary of the Commonwealth, House bill No. 1179, entitled "An act providing for the removal of the Penitentiary for the Eastern district of Pennsylvania from its present location, the selection of a site and erection thereon of a building of larger capacity and making an appropriation therefor."

This bill provides for the erection of a State penitentiary capable of holding at least two thousand prisoners on the principle of solitary confinement, at such place in any of the counties composing the Eastern district, as a board, to be appointed by the Governor, shall select. The board is authorized to agree upon plans and make all necessary contracts, taking security for the faithful performance of the work necessary. The board is also authorized to sell, at public sale, to the highest bidder or bidders the title of the Commonwealth in the lot of ground and buildings thereon erected, known as the Eastern Penitentiary. The sum of ten thousand dollars is appropriated by the terms of the bill as the preliminary expense for the purchase of a site and the erection of the new penitentiary buildings.

If this bill should become a law the board of commissioners provided therein would have full power to pledge the credit of the State for such sum of money as might be necessary, amounting, in all probability,

to a million dollars or more. The present condition of the finances of the State prompt me to withhold my approval from this measure. I am of the opinion that to incur an obligation of this magnitude would not be justified by existing financial conditions.

DANIEL H. HASTINGS.

Veto of Part of "An Act to Provide for the Ordinary Expenses of the Executive, Judicial and Legislative Departments of the Commonwealth, Interest on the Public Debt, and for the Support of the Public Schools, for the Two Fiscal Years Beginning June First, One Thousand Eight Hundred and Ninety-Five, and for the Payment of Bills Incurred and Remaining Unpaid at the Close of the Fiscal Year Ending May Thirty-First, One Thousand Eight Hundred and Ninety-five."

APPROVED—THE 3RD DAY OF JULY, A. D. 1895, except as to the following items.

DANIEL H. HASTINGS.

Department of Internal Affairs.

The item in section two, which provides as follows: "For the payment of the expenses and clerical services necessary for continuing the State Weather Service Bureau for the two years beginning June first, one thousand eight hundred and ninety-five, the sum of six thousand dollars, or so much thereof as may be necessary, payments to be made under direction of the Secretary of Internal Affairs, upon vouchers certified by him and filed in the Auditor General's department, as per act approved May thirteenth, one thousand eight hundred and eighty-seven (Pamphlet Laws, page 106)."

This item is disapproved because, in my judgment, there is no public necessity for the service provided therein. The United States Weather Service is so complete and the dissemination of information so general that there seems to be no reason for the continuance of the State Weather Service Bureau.

State Library.

The item in section two, which provides as follows: "For the payment of expenses for indexing the files of bills and arranging an index of certain official papers and documents in the library, the sum of two thousand dollars, or so much thereof as may be necessary."

This item is disapproved for the reason that, in my judgment, there exists no necessity for indexing the files of bills and arranging official papers and documents. They would be rarely consulted, and the expense involved I deem unwarranted.

Legislative Department.

The item in section four, which provides as follows: "For the payment of John Harner, janitor of the Supreme Court rooms, for services rendered to caucuses of members of the House and to the several committees of the House during the session of one thousand eight hundred and ninety-five, the sum of one hundred dollars, to be paid on the warrant of the Auditor General upon presentation of proper vouchers."

This item is disapproved because services rendered by a janitor to party caucuses should not be paid out of the public funds. Such expense should have no place in an appropriation bill for the Executive, Judicial and Legislative departments of the Commonwealth.

Section 38, which reads as follows: "For the expenses of the special committee of the Senate, approved May thirty-first, one thousand eight hundred and ninety-three, to examine into the question of the increase of crime and pauperism following the passage of the Brooks High License Law, and to inquire into the working of the same, the sum of seven hundred and fifteen dollars, or so much thereof as may be necessary, to be paid on the warrant of the Auditor General upon the approval of duly certified vouchers."

This item is disapproved for the reason that the expenses alleged to have been incurred by the investigation were incurred by a special committee of the Senate and not a joint committee of both houses. I regard an appeopriation of this character as improper and as establishing a bad precedent.

Section 42, which reads as follows: "For the payment of the necessary expenses of the joint committee of the Senate and House, appointed to investigate the question of convict labor and to what extent it interferes with the legitimate industries of the Commonwealth, the sum of eight thousand dollars, or so much thereof as may be necessary, to be paid in accordance with the provisions of the act of Assembly authorizing the appointment of such committee."

The foregoing item is disapproved for the reason that I regard the amount named as excessive, and because the purpose for which it is appropriated will not warrant the expenditure.

Section 47, which reads as follows: "For payment of the expenses incurred by the Senate election committee of the session of one thousand eight hundred and ninety-five, in the contested election case of Heller versus Laubach, in the Eighteenth Senatorial district, Northampton county, the sum of thirty-two thousand dollars, or so much thereof as may be necessary, to be

paid on the warrant of the Auditor General drawn in favor of the chairman of the committee on elections of the Senate of the session of one thousand eight hundred and ninety-five, upon vouchers properly certified and receipted and approved by the Auditor General and State Treasurer."

The foregoing item is disapproved because the appropriation is made in gross for the various items of expenses included in the election contest. It is the Constitutional right of the Executive that appropriations of this character should contain the items making up the entire amount in order that they may be separately considered and acted upon. I have no means of determining whether or not the sum appropriated is for such items as should be properly included, or that the respective amounts are correct. The cost of the contest is unusually large, and, before receiving Executive approval, it should be made clear that the appropriation should be made.

DANIEL H. HASTINGS.

Veto of Part of "An Act Making an Appropriation to the Rosalie Foundling Asylum and Maternity Hospital of Pittsburg."

APPROVED—THE 6TH DAY OF JULY, A. D. 1895, except as to the following item:

DANIEL H. HASTINGS.

The item in section one which reads as follows: "The sum of three thousand dollars, or so much thereof as may be necessary, for removing laundry from its present location to a more suitable place."

This item is disapproved because the revenues of

the State will not permit the expenditures of moneys for any purpose not absolutely necessary. Under existing conditions it has seemed to me that the work, for which this item of appropriation is made, can be postponed until such time as the finances of the State will permit the expenditure.

DANIEL H. HASTINGS.

Veto of Part of "An Act Making an Appropriation to Adrian Hospital Association of Jefferson County."

APPROVED—THE 6TH DAY OF JULY, A. D. 1895, except as to the following item.

DANIEL H. HASTINGS.

"Section 1. * * * * * * * That the sum of twenty thousand dollars, or so much thereof as may be necessary, be and the same is hereby specifically appropriated to the Adrian Hospital Association, of Jefferson county, for the purpose of assisting in the erection and furnishing of a new hospital building in the borough of Punxsutawney, Jefferson county: Provided, That no part of their appropriation herein made for building and furnishing shall become available until the treasurer of said association shall have certified, under oath, to the Auditor General, that the association has become the owner in fee simple of a site in the borough of Punxsutawney, upon which to erect a hospital building, and are prepared to build thereon, and that the sum of six thousand dollars, exclusive of the value of the ground, has been subscribed by private contributions and paid in cash into the treasury of said hospital association for the purpose of assisting in the erection and furnishing said building.

This section appropriates twenty thousand dollars for the purpose of assisting in the erection and furnishing of a new hospital building in the borough of Punxsutawney, Jefferson county, and is disapproved for the sole reason that the condition of the finances of the State will not permit appropriations for the erection of new buildings. I am aware that an urgent necessity exists in this case, as well as in others, but work of this kind may better be postponed than to be obliged to disapprove appropriations for maintenance in the charitable institutions of the State, existing in whole or in part by State aid. The item in this bill appropriating the sum of ten thousand dollars for maintenance of said hospital is, for that reason, approved, and section one, above recited, disapproved.

DANIEL H. HASTINGS.

Veto of Part of "An Act Making an Appropriation to the Pottsville Hospital of Pottsville, Schuylkill County."

APPROVED—THE 6TH DAY OF JULY, A. D. 1895, except as to the following item.

DANIEL H. HASTINGS.

"Section 2. That the further sum of ten thousand dollars, or so much thereof as may be necessary, be and the same is hereby specifically appropriated to the said hospital for the purpose of making necessary repairs, alterations and additions to the said hospital building."

This item is disapproved for the reason that it is specifically appropriated for the purpose of making repairs, alterations and additions to the hospital build-

ing, which, however desirable they may be, I think should be postponed until such time as the revenues of the State will permit the expenditure.

DANIEL H. HASTINGS.

Veto of Part of "An Act Making an Appropriation for the Completion of the Western Pennsylvania State Institution for the Feeble-Minded."

APPROVED—THE 6TH DAY OF JULY, A. D. 1895, except as to the following item.

DANIEL H. HASTINGS.

"Section 2. For the construction and completion of a chapel, eight double cottages and one industrial school, as specified in the plans as originally approved by the State Board of Public Charities, and for the erection and completion of which the commissioners for the erection of the Western Pennsylvania State Institution for the Feeble-Minded have an optional contract, the sum of two hundred and fifty thousand dollars, or so much thereof as may be necessary."

The condition of the revenues of the State will not permit this appropriation at this time. It provides for the erection and construction of new buildings additional to those now under contract.

DANIEL H. HASTINGS.

Veto of Part of "An Act Making an Appropriation to the Pennsylvania Museum and School of Industrial Art of Philadelphia."

APPROVED—THE 8TH DAY OF JULY, A. D. 1895, for the item of forty thousand dollars, payable in the year commencing the first day of June, 1896, and disapproved as to the item of forty thousand dollars, payable in the year commencing the first day of June, 1895, on account of the excess of appropriations over the estimated revenues of the Commonwealth for the next two years.

DANIEL H. HASTINGS.

Veto of Part of "An Act Making an Appropriation to the Philadelphia Polyclinic and College for Graduates in Medicine."

APPROVED—THE 8TH DAY OF JULY, A. D. 1895, except as to the following item, viz: "The sum of $5,000, or so much thereof as may be necessary, for purchasing apparatus and furnishings for hospital," which is disapproved for the sole reason that the revenues of the State will not permit this appropriation at this time.

DANIEL H. HASTINGS.

Proclamation of Vetoes—1895.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department,

A PROCLAMATION.

I, Daniel H. Hastings Governor of the Commonwealth of Pennsylvania, have caused this proclamation to issue, and in compliance with the provisions of article four, section fifteen of the Constitution thereof, do hereby give notice, that I have filed in the office of the Secretary of the Commonwealth, with my objections thereto, the following bills passed by both Houses of the General Assembly, viz:

House Bill No. 10, Entitled "A Supplement to an act, entitled 'An act to make the carrying on of the business of detectives without a license a misdemeanor, and to regulate the licensing and powers of detectives,' approved the twenty-third day of May, Anno Domini one thousand eight hundred and eighty-seven, regulating the fees of detectives in certain cases."

House Bill No. 422, Entitled "An Act to repeal the first section of an act, entitled 'An act relating to the election of pathmasters in the county of Erie, and for other purposes,' approved the eighth day of April, one thousand eight hundred and forty-six."

Senate Bill No. 148, Entitled "An Act to provide for an additional law judge in the Forty-eighth Judicial District, after the expiration of the term now provided for by law."

Senate Bill No. 17, Entitled "An Act detaching the county of Jefferson from the Eighteenth Judicial District, and constituting the same a separate judicial district, and providing for the appointment and for the election of a president judge thereof."

House Bill No. 187, Entitled "An Act to amend an act, entitled 'A further supplement to an act to incorporate the city of Carbondale,' approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five, providing for additional direc-

tors of the poor, and providing for the filling of vacancies."

House Bill No. 464, Entitled "An Act to repeal an act, passed the twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled 'An act relating to the collection of school tax in the school districts of the Commonwealth of Pennsylvania,' so far as its provisions relates to or affect the county of Washington."

Senate Bill No. 16, entitled "An Act to provide for the erection and organization of new counties, out of two or more adjoining counties, and prescribing the manner in which the same may be done."

House Bill No. 168, entitled "An Act to prevent the adulteration or selling adulterated liquors, and to provide for the enforcement thereof."

House Bill No. 225, entitled "An Act relating to judgments against joint tort-feasors, allowing contribution between them."

House Bill No. 399, entitled "An Act to amend section one of an act, entitled 'An Act to provide for the division of boroughs and the erection of new boroughs,' approved the twenty-ninth day of May, Anno Domini eighteen hundred and eighty-nine, by authorizing annexation of separated territory to another adjoining borough or city, and prescribing more fully the precedure."

House Bill No. 412, entitled "An Act authorizing companies incorporated under the laws of any other State of the United States, for the manufacture of glue or any other article of commerce or material which may be manufactured from the waste products of tanneries or slaughter houses, or for the manufacture of any kind of acid or other chemicals, to erect and maintain buildings and manufacturing establishments within this Commonwealth, and to take, have and hold real estate necessary and proper therefor."

House Bill No. 553, entitled "An Act to repeal an act, entitled 'An Act to erect an independent school district from portions of Rostraver township in the county of Westmoreland, and Washington township in the county of Fayette,' approved the eleventh day of April, Anno Domini one thousand eight hundred sixty-six, as far as the same relates to Washington township Fayette."

House Bill No. 594, entitled "An Act to amend the first and fourth section of an act, entitled 'An Act to erect an independent school district from portions of the townships of Davidson, Sullivan county, and Penn and Franklin townships, Lycoming county,' approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty four, providing for the division of an independent school district."

House Bill No. 618, entitled "An Act to repeal an act approved March fifteenth, one thousand eight hundred and seventy, entitled 'An Act to prevent cattle, horses, mules, sheep and swine from running at large in Middlesex, Butler and Mercer townships and Harrisville borough, Butler county.'"

House Bill No. 987, entitled "An Act requiring the payment of a bonus by corporations hereafter incorporated."

Senate Bill No. 130, entitled "An Act authorizing the courts of common pleas of this Commonwealth to decree the dissolution of certain corporations in certain cases, and to order the sale of their real estate, and make distribution of the proceeds thereof."

Senate Bill No. 394, entitled "An Act to prohibit the erection of temporary structures for fishing in the streams and lakes of this Commonwealth, except in Lake Erie or any bay connected therewith."

Senate Bill No. 458, entitled "An Act to provide for the better execution of the license laws of the Commonwealth."

Senate Bill No. 197, entitled "An Act to provide for the publishing of an extra edition of the report of the proceedings of the dedication of the Pennsylvania monuments upon the battlefield of Gettysburg, Providing for the distribution thereof, and making an appropriation for the compiling, proof reading, copying, classifying, correcting the records, printing and binding the same."

Senate Bill No. 237, entitled "An Act providing for the payment and extinguishment of dowers charged, by decree of court or recognizance, upon real estate, directing the manner of procedure, and providing for the investment of the moneys so charged."

Senate Bill No. 309, entitled "An Act to amend an act, entitled 'An Act to punish defaulting tax collectors,' approved the third day of June, Anno Domini one thousand eight hundred and eighty-five, making a refusal to pay over taxes collected, when due on a proper auditor's report unappealed from, prima facie evidence of embezzlement by such tax collectors."

Senate Bill No. 373, entitled "An Act providing for the collection of amounts due the Commonwealth for purchase money, interest and fees due on unpatented lands."

House Bill No. 210, entitled "An Act to authorize the county commissioners of the several counties of this Commonwealth to sell to actual sellers, and convey unseated lands belonging to the several counties."

House Bill No. 336, entitled "An Act making it unlawful for any turnpike road company to collect toll for travel over such road on which stone over two inches in diameter are used for macadamizing."

House Bill No. 538, entitled "An Act to repeal and act, entitled 'An act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, so far as the same applies to the county of Bedford."

House Bill No. 171, entitled "An Act to amend the title of an act, entitled 'An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offences in regard to such elections,' providing for the manner of submission of constitutional amendments and other questions to the vote of the people."

House Bill No. 900, entitled "An Act to amend the seventh section of an act, entitled 'A supplement to an act, entitled 'An Act to create a sinking fund, and to provide for the gradual and certain extinguishment of the debt of the Commonwealth,' and to authorize a loan,' approved the fifteenth day of May, one thousand eight hundred and fifty, relieving real estate agents from the provision of the act.'"

Senate Bill No. 292, entitled "An Act to amend the first section of an act, approved the twentieth day of May, Anno Domini one thousand eight hundred and ninety-one, entitled 'An Act to authorize any borough now incorporated or that may hereafter be incorporated, to manufacture electricity for commercial purposes, for the use of the inhabitants of said boroughs and for this purpose to erect, purchase or condemn electric light plants and apparatus, and making valid the acts of any borough which has heretofore manufactured the same, or incurred any indebtedness thereby, in accordance with the provisions of this act,' extending the provisions thereof to cities of the first, second and third class, and authorizing the manufacture of electricity for municipal and commercial purposes, and regulating the exercise of such powers."

Senate Bill No. 294, entitled "An Act supplementary to act, approved the eight day of May, Anno Domini one thousand eight hundred eighty-nine, entitled an act to amend an act, entitled 'An Act to provide for

the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four, providing for the incorporation and regulation of electric light, heat and power companies, amending the second and third sections of said act, so as to provide for the further regulation of, and granting additional powers to all corporations now or hereafter incorporated under the provisions of said act for the supply to the public of light, heat and power, or either of them."

Senate Bill No. 340, entitled "An Act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties, and by which payment such foreign railway corporation is relieved from local taxation."

Senate Bill No. 341, entitled "An Act amending the thirteenth section of the act, entitled 'A supplement to the act consolidating the city of Philadelphia,' approved the twenty-first day of April, one thousand eight hundred and fifty-five, regulating public advertisements."

House Bill No. 41, entitled "A Supplement to the twenty-fourth section of an act, entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, one thousand eight hundred and seventy-nine, approved the first day of June, one thousand eight hundred eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth."

House Bill No. 143, entitled "An Act to amend an act, entitled 'An Act to authorize the sheriff of the city of Philadelphia to advertise the sale of real estate in

three daily newspapers,' which was approved on the third day of February, Anno Domini one thousand eight hundred and sixty, providing for a publication in the German language."

House Bill No. 489, entitled "An Act to amend a special act, entitled 'An Act relating to the election and duties of supervisors, and the collection of road taxes in the county of Franklin,' by providing for the election of four supervisors in the township of Gilford, in said county."

House Bill No. 156, entitled "An Act to prevent the interference of unauthorized persons with the electrical conductors and electrical appliances and machinery of electric light, heat and power companies."

House Bill No. 148, entitled "An Act to prohibit the peddling, selling or hawking merchandise, wares or other goods within this Commonwealth, without a license."

House Bill No. 1072, entitled "An Act authorizing the manufacturers of malt or brewed liquors to sell their own product to licensed dealers, only upon payment into the treasury of the Commonwealth of a certain annual sum of money."

House Bill No. 1155, entitled "An Act to provide for the selection of a site and the erection of a State Asylum for the homoeopathic treatment of the chronic and epileptic insane, to be located at Titusville, to be called the State Asylum for the Homoeopathic Treatment of the Chronic and Epileptic Insane of Pennsylvania, and making an appropriation therefor."

Senate Bill No. 166, entitled "An Act for the protection of ruffed grouse."

Senate Bill No. 272, entitled "An Act for the protection of the nests and eggs of game birds."

Senate Bill No. 236, entitled "A Further Supplement to an act, entitled 'A Supplement to an act, entitled 'An Act to establish an insurance department,'

approved April fourth, one thousand eight hundred and seventy-three, providing for the further regulation of foreign insurance companies, and relating to agents and others doing business with unauthorized insurance companies, and defining penalties therefor,' approved April twenty-sixth, one thousand eight hundred and eighty-seven."

Senate Bill No. 388, entitled "An Act amending and extending sub-division sixteen of section second of an act, entitled 'A Supplement to an act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, entitled 'An Act to provide for the incorporation and regulation of certain corporations, and for the incorporation and regulation of certain additional corporations,' approved the seventeenth day of April, Anno Domini one thousand eight hundred and seventy-six, providing for the incorporation and regulation of associations for the transaction of the real estate brokers.' "

Senate Bill No. 446, entitled "An act granting a greatuity to James Dower, Sr., father of James Dower, Jr., a private in Company "E," of the Eighth Regiment National Guard of Pennsylvania for expenses incurred and loss sustained by reason of the illness and death, from typhoid fever of said James Dower, Jr., contracted in the service of the National Guard at Gettysburg encampment during the month of August, one thousand eight hundred and ninety-four."

Senate Bill No. 447, entitled "An Act granting a gratuity to John Augustine, father of Henry F. Augustine, a private in Company "E," of the Eighth Regiment National Guard of Pennsylvania, for expenses incurred and loss sustained by reason of the illness and death from typhoid fever of said Henry F. Augustine, contracted in the service of the National Guard, at Gettysburg encampment, during the month of August, one thousand eight hundred and ninety-four."

Senate Bill No. 695, entitled "An Act making an appropriation to the Germantown Dispensary and Hospital, in the Twenty second ward of the city of Philadelphia."

House Bill No. 276, entitled "An Act to provide for the partial payment, per diem, compensation to Richard D. Anthony, a member of the National Guard of Pennsylvania, during the time of his disability produced by typhoid fever which he contracted in the service at Homestead, Pennsylvania."

House Bill No. 277, entitled "An Act granting a pension to Louis Arsell."

House Bill No. 351, entitled "An act granting a pension to Jeremiah Woodhull."

House Bill No. 444, entitled "An Act granting a pension to Evan James."

House Bill No. 458, entitled "An Act to provide for the partial payment to Sarah J. Dennis, a widow, and mother of Charles Dennis, per diem compensation due the said Charles Dennis, a member of the National Guard of Pennsylvania, during the time of his disability produced by sickness which he contracted in the service at Homestead, Pennsylvania, and to cover medical attendance, drug bill, nursing and funeral expenses of said Charles Dennis."

House Bill No. 460, entitled "An Act granting a pension to John F. Gilbert."

House Bill No. 461, entitled "An Act for the relief of David Wilson, late first sergeant of Company C, of Third Regiment of Pennsylvania militia."

House Bill No. 463, entitled "An Act granting a pension to John F. Coller."

House Bill No. 519, entitled "An Act to return to A. C. Patterson the sum of three hundred and five dollars, paid by him into the State Treasury through the Department of Internal Affairs of the Commonwealth of Pennsylvania."

House Bill No. 586, entitled "An Act to provide for the partial payment per diem to John Stark, a member of the National Guard of Pennsylvania, during the time of his disability produced by typhoid fever which he contracted in the services of the State at Homestead, Pennsylvania."

House Bill No. 588, entitled "An Act to grant a pension to Charles J. Taylor, late of B, Company, Tenth Regiment, National Guard of Pennsylvania."

House Bill No. 602, entitled "An Act granting a pension to Rachel Watson, of Lancaster county."

House Bill No. 616, entitled "An Act granting a pension to Augustus Burkit."

House Bill No. 636, entitled "An Act to provide for the partial payment of per diem compensation to Sergeant William D. Smith, a member of Company A, Twelfth Regiment, National Guard of Pennsylvania, during the time of his disability produced by typhoid fever which he contracted in the service of the State at Homestead, Pennsylvania."

House Bill No. 637, entitled "An Act to provide for the partial payment per diem compensation to Henry A. Parsons, Jr., a member of the National Guard of Pennsylvania during the time of his disability produced by inflamation of the bowels which he contracted in the service at Homestead, Pennsylvania."

House Bill No. 649, entitled "An Act granting a pension to George Weidne, of Berks county."

House Bill No. 712, entitled "An Act to provide for the partial payment per diem compensation to S. M. McClintock, a member of the National Guard of Pennsylvania, during the time of his disability produced by typhoid fever which he contracted in the service at Homestead, Pennsylvania."

House Bill No. 725, entitled "An Act to provide for compensation to Martin C. Bartzer, a private in Company D, of the Sixth Regiment of the National Guard

of Pennsylvnia, for expenses incurred and loss sustained by reason of the illness of said Martin C. Bartzer contracted in the service of the National Guard at Gettysburg encampment during the month of August, one thousand eight hundred and nienty four."

House Bill No. 730, entitled "An Act granting a gratuity to John L. Wadsworth, for expenses incurred and wages lost during the time of his disability produced by typhoid fever contracted while in the service of the National Guard at Gettysburg encampment during the month of August, one thousand eight hundred and ninety-four."

House Bill No. 741, entitled "An Act for the relief of Thomas H. Randolph, late third corporal of Company E, Sixth Regiment of Pennsylvania militia."

House Bill No. 1010, entitled "An Act making an appropriation to the Southeastern Dispensary and Hospital for Women and Children in the city of Philadelphia."

House Bill No. 1014, entitled "An Act making an appropriation to the Philadelphia Home for Incurables."

House Bill No. 1017, entitled "An Act making an appropriation to the Pennsylvania Prison Society."

House Bill No. 1019, entitled "An Act making an appropriation to the Spring Garden Institute of Philadelphia."

House Bill No. 1022, entitled "An Act making an appropriation to the Wills Eye Hospital of Philadelphia."

House Bill No. 1030, entitled "An Act making an appropriation to the Allegheny County Society for alleviating the miseries of public prisons."

House Bill No. 1041, entitled "An Act making an appropriation to the Pittsburg and Allegheny Free Kindergarten Association."

House Bill No. 1043, entitled "An Act making an ap-

propriation toward the maintenance of the Home of Industry for discharged prisoners of the city of Philadelphia, and the State of Pennsylvania."

House Bill No. 1061, entitled "An Act making an appropriation to the Northwestern Pennsylvania Humane Society of Erie, Pennsylvania."

House Bill No. 1075, entitled "An Act making an appropriation to the West Philadelphia Hospital for Women."

House Bill No. 1107, entitled "An Act making an appropriation to the Memorial Association of Monongahela city."

House Bill No. 1108, entitled "An Act making an appropriation to the Conoquenessing Valley Hospital Association, located in the borough of Butler."

House Bill No. 1120, entitled "An Act making an appropriation to the Kane Hospital Association of Kane, McKean county, Pennsylvania."

House Bill No. 1125, entitled "An Act making an appropriation to the Samaritan Hospital of Philadelphia."

House Bill No. 1137, entitled "An Act making an appropriation to the Wagner Free Institute of Science."

House Bill No. 1165, entitled "An Act making an appropriation to the Grove City College to assist in erecting an armory for the use of the military department."

House Bill No. 1190, entitled "An Act making an appropriation to the Acadamy of Natural Science of Philadelphia."

Senate Bill No. 48, entitled "An Act in relation to the supply of water within cities and boroughs, and giving such municipalities authority and control over and remedies against incorporated companies and persons supplying water within their limits, and also in relation to such municipalities acquiring the plants of such companies, and providing for or procuring a supply of water to the public."

Senate Bill No. 508, entitled "An Act authorizing the appointment of a stenographer and typewriter in the office of the Health Officer of the Port of Philadelphia, and fixing the salary."

Senate Bill No. 657, entitled "An Act making an appropriation for the purpose of assisting in the erection and furnishing of a hospital and dispensary in the city of Allentown, Lehigh county."

Senate Bill No. 662, entitled "An Act to provide an appropriation for the purchase of William Penn's Charter of Liberties to the Province of Pennsylvania."

House Bill No. 349, entitled "An Act relating to the use of oils or other products for illuminating purposes in anthracite and bituminous coal mines."

House Bill No. 515, entitled "An Act to give preference of appointment or employment to honorably discharged soldiers, sailors and marines who fought for the Union cause in the late war of the rebellion, making a disregard thereof a misdemeanor punishable by a fine."

House Bill No. 1059, entitled "An Act making an appropriation to the State College to establish and maintain experimental stations for the purpose of making experiments in the culture, curing and preparation of tobacco, and providing for the publication of the report thereof."

House Bill No. 1169, entitled "An Act making an appropriation to pay A. Merrill, who was deputized by George R. Hoopes, Sergeant at Arms of the House of Representatives of one thousand eight hundred and ninety-three, for attendance upon E. M. Tewksbury, a member of the House of Representatives of that session during his serious illness while in Harrisburg, and for removing him to his home."

House Bill No. 1179, entitled "An Act providing for the removal of the penitentiary for the Eastern district Pennsylvania from its present location, the selection

of a site and erection thereon of a building or buildings of larger capacity, and making an appropriation therefor."

And also certain items in the following House bill, viz:

House Bill No. 196, entitled "An Act to provide for the ordinary expenses of the Executive, Judicial and Legislative departments of the Commonwealth, interest on the public debt, and for the support of the public schools for the two fiscal years beginning June first, one thousand eight hundred and ninety-five, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand eight hundred and ninety-five."

House Bill No. 1021, entitled "An Act making an appropriation to the Rosalie Foundling Asylum and Maternity Hospital of Pitsburg."

House Bill No. 1128, entitled "An Act making an appropriation to Adrian Hospital Association of Jefferson county."

House Bill No. 1156, entitled "An Act making an appropriation to the Pottsville Hospital of Pottsville, Schuylkill county."

House Bill No. 1176, entitled "An Act making an appropriation for the completion of the Western Pennsylvania State Institution for the Feeble-Minded."

House Bill No. 1038, entitled "An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art of Philadelphia."

House Bill No. 1057, entitled "An Act making an appropriation to the Philadelphia Polyclinic and College for Graduates in Medicine."

Given under my hand and the Great Seal of the State at the city of Harrisburg, this eighth day of July, in the year of our Lord, one thousand eight hundred and ninety-five, and of the Commonwealth the one hundred and twentieth.

DANIEL H. HASTING.

By the Governor:
Frank Reeder,
Secretary of the Commonwealth.

Filed in the office of the Secretary of the Commonwealth at Harrisburg, the eighth day of July, A. D. 1895.

J. E. Barnett,
Deputy Secretary of the Commonwealth.

Proclamation Commending the Cotton States and International Exposition to the People of the Commonwealth."

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department,

A PROCLAMATION.

Whereas, The Cotton States and International Exposition will be held in the city of Atlanta, in the State of Georgia, during the months of September, October, November and December of the present year, and

Whereas, The said, The Cotton States and International Exposition has received the endorsement of the

National Government, and Congress having provided by appropriation for the promotion of the said Exposition, and

Whereas, The said Cotton States and International Exposition has invited the several States of the Union to participate therein, and

Whereas, The General Assembly of the Commonwealth of Pennsylvania by joint resolution approved the second day of May, A. D. 1895, accepted the said invitation and authorized the appointment of a "Cotton States and International Exposition Commission," the said Commission having been duly appointed, and

Whereas, The said General Assembly has appropriated thirty-eight thousand dollars for the payment of the expenses of the Cotton States and International Exposition Commission authorized by said Joint Resolution, and

Whereas, It is fitting and proper that the manufacturing, mining and agricultural and other of the great interests and natural energies of the Commonwealth should be fairly and adequately represented by her citizens at the said Cotton States and International Expositions.

Now Therefore, I, DANIEL H. HASTINGS, Governor of the said Commonwealth in response to the patriotic sentiments indicated by the General Assembly, and in accord with the spirit and comity that should exist between sister States of the Republic, and in compliance with the said Joint Resolution which declares that "Pennsylvania leads all her sister states in manufacturing, mining and agriculture and her industries should enter into meritorious competition with those of other States and countries that will participate in the Exposition," do hereby issue this my Proclamation calling upon the citizens of the Commonwealth, without distinction of race, creed or sex, to immediately prepare to furnish their full quota to

the interests and prosperity of the said Exposition and I do particularly request all railroads and transportation companies, all mining, ship building and other industrial firms and institutions; all agricultural, horticultural, floracultural, botonical, geological and similar organizations, all producers of and operators in natural oils and gases, all churches, schools, colleges and universities, all literary, religious and historical societies, all museums and institutions of fine art; all editors, publishers, printers and book binders, all banks, bankers and capitalists, all architects, designers, decorators, painters and sculptors; all who excel in the production of grain, vegetables and flowers, of butter and cheese, and other products of the farm; all skilled artisans and inventors; all who possess articles of novelty, beauty or of historical value or significance, all State, county and municipal officers, all and every person in every walk of life who may aid in exposing to the people of their sister States and other countries, every character or specimen of native and material wealth, evidence of the growth and development of every department of our social, material, commercial and industrial interests, as well as that which represents the history and patriotism of our people from the foundation of the Commonwealth, to present that which is worthy of public notice and consideration at the said Exposition, and to lend their assistance in making the exhibit a source of pride to all the inhabitants of our State and a revelation to our sister States, as well as to the world of the progress, enterprise, growth, developmnet and unrivalled resources of Pennsylvania.

And I Do Further Request, All citizens who may wish to participate in said Exposition to communicate at an early date with Thomas J. Keenan, Jr., the Secretary of the said Cotton States and International Exposition Commission at his office in the city of Harris-

burg, in order that he may be enabled to learn their views and purposes, and to receive such assistance as may be tendered in this behalf.

Given under my hand and the Great Seal of the State of Pennsylvania, at the city of Harrisburg this eleventh day of July, in the year of our Lord one thousand eight hundred and ninety-five and of the Commonwealth the one hundred and twentieth.

DANIEL H. HASTINGS.

By the Governor:

James E. Barnett,

Deputy Secretary of the Commonwealth.

Proclamation of the Election of Judges of the Superior Court.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, It is provided in and by an Act of the General Assembly of this Commonwealth, entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments," ap-

proved the 24th day of June, A. D. 1895, that the Secretary of the Commonwealth shall cause the returns made to him by the prothonotary of the several counties of the State, of an election for Judges of the Superior Court, to be opened and the votes cast for the persons voted for to fill said offices, to be correctly computed and to certify the result to the Governor of the said Commonwealth, and that the Governor shall forthwith issue his Proclamation declaring the successful candidates voted for for Judges of the Superior Court to have received the greatest number of votes cast, to be duly elected.

And Whereas, The Secretary of the Commonwealth has caused the returns of the late General Election for Judges of the Superior Court to be opened and the result ascertained and certified to me, whereupon it appears that James A. Beaver, Edward N. Willard, John J. Wickham, Charles E. Rice, Howard J. Reeder, George B. Orlady and Peter P. Smith received the greatest number of votes of the persons voted for to fill the said offices of Judges of the Superior Court.

Now, Therefore, In conformity with the provisions of the aforesaid act of the General Assembly, I, DANIEL H. HASTINGS, Governor of the said Commonwealth, do issue this my Proclamation, publishing and declaring that of the persons voted for for Judges of the Superior Court of this Commonwealth at the last General Election, held on Tuesday, the 5th day of November, A. D. one thousand eight hundred and ninety-five, James A. Beaver, Edward N. Willard, John J. Wickham, Charles E. Rice, Howard J. Reeder, George B. Orlady and Peter P. Smith, were the seven persons voted for who received the greatest number of votes, and they are, therefore, elected Judges of the Superior Court of this Commonwealth.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this twenty-second day of November, in the year of our Lord one thousand eight hundred and ninety-five, and of the Commonwealth the one hundred and twentieth.

DANIEL H. HASTINGS.

By the Governor:
Frank Reeder,
Secretary of the Commonwealth.

Proclamation of the Cancellation of Three Thousand Three Hundred and Sixty-Seven Dollars of the Principal Debt of the Commonwealth Through the Sinking Fund."

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, By the third section of an Act of the General Assembly of this Commonwealth, entitled "An Act to establish a Sinking Fund for the payment of the public debt," approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight, and the supplement thereto approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-eight, it is made the duty of the Secretary of the Commonwealth, Auditor General and

State Treasurer Commissioners of the Sinking Fund, created by the first recited act of the General Assembly, to report and certify to the Governor annually the amount received under the said act, the amount of interest paid and the amount of the debt of the Commonwealth redeemed and held by them. Whereupon the Governor shall direct the certificates representing the indebtedness to be cancelled, and on such cancellation issue his proclamation, stating the fact and the extinguishment and final discharge of so much of the principal of said debt; and

Whereas, Frank Reeder, Amos H. Mylin and Samuel M. Jackson, Commissioners of the Sinking Fund, in obedience to the requirements of said enactments, report and certify to me that the amount of the debt of the Commonwealth, redeemed and held by them for the financial year ending on the thirtieth day of November, Anno Domini one thousand eight hundred and ninety-five, is three thousand three hundred and sixty-seven dollars and thirty-four cents, made up as follows:

Redemption of loan, April 1st, 1879, ...	$2,800.00
Redemption of loan, March 20th, 1877, ...	500 00
Chambersburg certificate No. 412 and interest, ...	16 06
Chambersburg certificate No. 385 and interest, ...	25.36
Chambersburg certificate No. 600 and interest, ...	25.92
Total, ...	$3,367 34

Now, Therefore, I DANIEL H. HASTINGS, Governor of the said Commonwealth in compliance with the provisions of the above recited Act of the General Assembly, do issue this my proclamation declaring the payment, cancellation, extinguishment and dis-

charge of three thousand three hundred and sixty-seven dollars and thirty-four cents of the principal of the public debt of this Commonwealth.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this twelfth day of December, in the year of our Lord one thousand eight hundred and ninety-five, and of the Commonwealth the one hundred and twentieth.

DANIEL H. HASTINGS.

By the Governor:
Frank Reeder,
Secretary of the Commonwealth.

Proclamation of the Election of Benjamin J. Haywood as State Treasurer.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

Whereas, An act of the General Assembly of this Commonwealth, entitled "An act to provide for the receiving, opening and publishing of the returns of the election for State Treasurer and of Auditor General when elected at the same election," approved the ninth day of May, Anno Domini one thousand eight hundred and seventy-nine, provides that whenever the Legislature shall not be assembled and a State Treasurer and Auditor General shall have been elected at the preceding annual election, the Governor, the President Judge of the Twelfth Judicial district, the President

pro tempore of the Senate, the Speaker of the House of Representatives, four members of the Senate and six members of the House of Representatives shall meet in the Senate Chamber, at Harrisburg, at twelve o'clock noon, on the third Tuesday of January succeeding each election of State Treasurer, or Auditor General, and they or a majority of them, being so convened shall proceed to open, compute and publish the returns of the election for State Treasurer and Auditor General and shall file in the office of the Secretary of the Commonwealth a certificate signed by each of them, setting forth the aggregate number of votes received by each person voted for at such election. The Governor shall within ten days thereafter declare by proclamation the name of the person elected to each of said offices.

And Whereas, The persons composing the Commission to open, compute and publish the returns of the late general election for State Treasurer, held on Tuesday, the fifth day of November, Anno Domini, one thousand eight hundred and ninety-five have filed in the office of the Secretary of the Commonwealth, the certificate provided for in the above recited act of the General Assembly, showing that Benjamin J. Haywood received the greatest number of votes of the persons voted for at said election to fill the office of State Treasurer.

Now, Therefore, I, DANIEL H. HASTINGS, Governor of said Commonwealth, in conformity with the provisions of the aforesaid act of the General Assembly do issue this my proclamation, hereby declaring that Benjamin J. Haywood was elected to the office of State Treasurer, at the general election held on the fifth day of November, Anno Domini one thousand eight hundred and ninety-five, he having received the highest number of votes of the persons voted for to fill the said office of State Treasurer at said election.

Given under my hand and the Great Seal of the State, at Harrisburg, this 24th day of January, in the year of our Lord one thousand eight hundred and ninety-six and of the Commonwealth the one hundred and twentieth.

DANIEL H. HASTINGS.

By the Governor:

Frank Reeder,

Secretary of the Commonwealth.

Arbor Day Proclamation—1896.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

A PROCLAMATION.

The General Assembly by Joint Resolution approved March 17, 1885, and again by resolution approved March 30th, 1887, requested the Governor of this Commonwealth to appoint annually a day to be designated as "Arbor Day," and to recommend by proclamation to the people on the day named the planting of trees and shrubbery in public school grounds and along the public highways throughout the State.

Although Pennsylvania was once wholly covered with a dense growth of valuable timber, to-day scarcely one-fourth of that area remains, and the supply has fallen off to such an extent that the Commonwealth is unable to produce the timber required for its own inhabitants.

Of the regions which, when timbered, were a source of wealth to their owners and to the State, not less

than two million five hundred thousand acres are unfit for agricultural purposes. Most of this vast area has little or no mineral wealth and is now an unsightly and practically abandoned territory. Fires sweep over it year after year destroying the younger growth and burning out the fertility of the soil, and this vast territory is passing into the condition of a desert, becoming poorer each successive year. It is not only possible but practicable to restore the forests upon these desert wastes, which would be producing a crop of great value to our State, and would also restore to our rivers and streams the beneficial influences of the forests.

As it was once a necessity to remove trees in order to obtain ground to plant grain, and for other purposes of civilization, it appears that this necessity produced a tree destroying habit, which should be counteracted as speedily as possible.

This is the first generation in the Commonwealth ever brought face to face with the dangers and disasters of a timberless country. To change the current of national thought from the tree destroying to the tree protecting policy, to add to the beauty of our mountains and valleys, to ornament the grounds of our free schools and other public institutions, to add comfort to the traveler upon our public highways, to preserve the shores and banks of our rivers and smaller streams are objects worthy of the intelligent attention of our citizens.

Now, Therefore, I, DANIEL H. HASTINGS, Governor of the Commonwealth of Pennsylvania, in accordance with law, do hereby designate and proclaim Friday, the Tenth day of April, and Friday, the Twenty-Fourth day of April, A. D. 1896, to be observed as Arbor Days throughout the Commonwealth.

The selection of either the above designated days

is left to the choice of the people in the various sections of the Commonwealth to the end that day may be selected which is deemed the most favorable on account of climatic conditions.

Given under my hand and the Great Seal of the State this Twenty-fifth day of February, in the year of our Lord one thousand eight hundred and ninety-six, and of the Commonwealth one hundred and twentieth.

DANIEL H. HASTINGS.

By the Governor:
Frank Reeder,
Secretary of the Commonwealth.

Proclamation of the Election of Representatives of Pennsylvania in the United States Congress—1896.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, In and by an Act of the General Assembly, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, it is made the duty of the Governor on receipt of the returns of the election of Members of the House of Representatives of the United States by the Secretary

of the Commonwealth, to declare by proclamation, the names of the persons returned as elected in the respective districts;

And Whereas, The returns of the general election held on Tuesday, the third day of November, A. D. 1896, for Representatives of the people of this State in the House of Representatives of the United States for the term of two years from the fourth day of March next, have been received at the office of the Secretary of the Commonwealth, agreeably to the provisions of the above recited Act of the General Assembly, whereby it appears that

In the First District, composed of the 1st, 2d, 7th, 26th, 30th and 36th wards of the city of Philadelphia, Henry H. Bingham, has been duly elected.

In the Second District, composed of the 8th, 9th, 10th, 13th, 14th and 20th wards of the city of Philadelphia, Robert Adams, Jr., has been duly elected.

In the Third District, composed of the 3d, 4th, 5th, 6th, 11th, 12th, 16th and 17th wards of the city of Philadelphia, William McAleer, has been duly elected.

In the Fourth District, composed of the 15th, 21st, 24th, 27th, 28th, 29th, 32d, 34th, and 37th wards of the city of Philadelphia, James Rankin Young, has been duly elected.

In the Fifth District, composed of the 18th, 19th, 22d, 23d, 25th, 31st, 33d and 35th wards of the city of Philadelphia, Alfred C. Harmer, has been duly elected.

In the Sixth District, composed of the counties of Chester and Delaware, Thomas S. Butler, has been duly elected.

In the Seventh District, composed of the counties of Montgomery and Bucks, Irving P. Wanger, has been duly elected.

In the Eighth District, composed of the counties of Northampton, Monroe, Pike and Carbon, William S. Kirkpatrick, has been duly elected.

In the Ninth District, composed of the counties of Berks and Lehigh, Daniel Ermentrout, has been duly elected.

In the Tenth District, composed of the county of Lancaster, Marriott Brosius, has been duly elected.

In the Eleventh District, composed of the county of Lackawanna, William Connell, has been duly elected.

In the Twelfth District, composed of the county of Luzerne, Morgan B. Williams, has been duly elected.

In the Thirteenth District, composed of the county of Schuylkill, Charles N. Brumm, has been duly elected.

In the Fourteenth District, composed of the counties of Dauphin, Lebanon and Perry, Marlin E. Olmsted, has been duly elected.

In the Fifteenth District, composed of the counties of Bradford, Susquehanna, Wayne and Wyoming, James H. Codding, has been duly elected.

In the Sixteenth District, composed of the counties of Tioga, Potter, Lycoming and Clinton, Horace B. Packer, has been duly elected.

In the Seventeenth District, composed of the counties of Northumberland, Columbia, Montour and Sullivan, Monroe H. Kulp, has been duly elected.

In the Eighteenth District, composed of the counties of Franklin, Fulton, Huntingdon, Mifflin, Juniata, Snyder and Union, Thaddeus M. Mahon, has been duly elected.

In the Nineteenth District, composed of the counties of Cumberland, Adams, and York, George J. Benner, has been duly elected.

In the Twentieth District, composed of the counties of Cambria, Blair, Somerset and Bedford, Josiah D. Hicks, has been duly elected.

In the Twenty-first District, composed of the counties of Westmoreland, Armstrong, Indiana and Jefferson, Edward E. Robbins, has been duly elected.

In the Twenty-second District, composed of the city

of Pittsburg and townships and boroughs lying between the Monongahela and Allegheny rivers, except the city of McKeesport and the boroughs and townships lying between the Youghiogheny and Monongahela rivers in the county of Allegheny, John Dalzell, has been duly elected.

In the Twenty-third District, composed of the city of Allegheny and townships and boroughs lying north of the Allegheny and Ohio rivers, in the county of Allegheny, William A. Stone, has been duly elected.

In the Twenty-fourth District, composed of the counties of Fayette, Greene and Washington and all boroughs and townships lying south of the Monongahela and Ohio rivers, and boroughs and townships lying between the Youghiogheny and Monongahela rivers, and the city of McKeesport, in the county of Allegheny, Ernest F. Acheson, has been duly elected.

In the Twenty fifth District, composed of the counties of Beaver, Lawrence, Mercer and Butler, James J. Davidson, has been duly elected.

In the Twenty-sixth District, composed of the counties of Crawford and Erie, John C. Sturtevant, has been duly elected.

In the Twenty-seventh District, composed of the counties of Venango, Warren, McKean and Cameron, Charles W. Stone, has been duly elected.

In the Twenty-eighth District, composed of the counties of Clarion, Forest, Elk, Clearfield and Centre, William C. Arnold, has been duly elected.

For the State-at-Large, Galusha A. Grow and Samuel A. Davenport, have been duly elected.

Now Therefore, I, DANIEL H. HASTINGS, Governor of said Commonwealth, do issue this my Proclamation, hereby publishing and declaring that Henry H. Bingham, Robert Adams, Jr., William McAleer, James Rankin Young, Alfred C. Harmer, Thomas S. Butler, Irving P. Wanger, William S. Kirkpatrick,

Daniel Ermentrout, Marriott Brosius, William Connell, Morgan B. Williams, Charles N. Brumm, Marlin E. Olmsted, James H. Codding, Horace B. Packer, Monroe H. Kulp, Thaddeus M. Mahon, George J. Benner, Josiah D. Hicks, Edward E. Robbins, John Dalzell, William A. Stone, Ernest F. Acheson, James J. Davidson, John C. Sturtevant, Charles W. Stone, William C. Arnold, Galusha A. Grow and Samuel A. Davenport, have been returned as duly elected in the several districts and for the State-at Large, before mentioned as representatives of the people of this State in the House of Representatives of the United States for the term of two years from the fourth day of March next.

Given under my hand and the Great Seal of the State at the city of Harrisburg this fourteenth day of November, in the year of our Lord one thousand eight hundred and ninety-six and of the Commonwealth the one hundred and twenty-first.

DANIEL H. HASTINGS.

By the Governor:
Frank Reeder,
Secretary of the Commonwealth.

Proclamation of the Election of Electors of a President and Vice President—1896.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, In and by an Act of the General Assembly, entitled "An Act relating to the elections of this Commonwealth," approved the second day of July Anno Domini one thousand eight hundred and thirty-nine, it is made the duty of the Secretary of the Commonwealth on receiving the returns of the election of the Electors of President and Vice President of the United States, to lay them before the Governor who shall enumerate and ascertain the number of votes given for each person voted for, and shall thereupon declare by Proclamation the names of the persons duly elected.

And Whereas, It appears from the returns so laid before me by the Secretary of the Commonwealth, of the election held on Tuesday, the third day of November, Anno Domini one thousand eight hundred and ninety-six, that Joseph Wharton, Alexander E. Patton, William Witherow, Peter L. Kimberly, John S. Pearson, Allen B. Rorke, Frank P. Hendley, William M. Taggart, Leonard Myers, Joseph H. Huddell, William F. Solly, John Fritz, Henry L. Johnson, John H. Landis, Everett Warren, Bider Wellington Wilde, Harrison Ball, David W. Miller, Henry C. Prevost, James V. Brown, Frederick H. Eaton, George Barron Miller, Reuben Hathaway Shindel, George Thompson Swank, Samuel Edward Wilson, William Maurice Randolph, Emanuel Wertheimer, Josiah Speer, Edward Everett Abrams, Isador Sobel, William Schnur and Joseph C. Campbell, received the greatest number of votes of the persons voted for as Electors of President and Vice President of the United States.

Now Therefore, I, DANIEL H. HASTINGS, Governor as aforesaid, in obedience to the requirements of the aforesaid Act of the General Assembly, do issue

this my Proclamation hereby publishing and declaring that the said Joseph Wharton, Alexander E. Patton, William Witherow, Peter L. Kimberly, John S. Pearson, Allen B. Rorke, Frank P. Hendley, William M. Taggart, Leonard Myers, Joseph H. Huddell, William F. Solly, John Fritz, Henry L. Johnson, John H. Landis, Everett Warren, Bider Wellington Wilde, Harrison Ball, David W. Miller, Henry C. Prevost, James V. Brown, Frederick H. Eaton, George Barron Miller, Reuben Hathaway Shindel, George Thompson Swank, Samuel Edward Wilson, William Maurice Randolph, Emanuel Wertheimer, Josiah Speer, Edward Everett Abrams, Isador Sobel, William Schnur and Joseph C. Campbell, are the persons duly elected Electors of President and Vice President of the United States to meet at the seat of government (being in the city of Harrisburg) on the second Monday of January, 1897, being the eleventh day of said month, agreeably to the laws of this Commonwealth and of the United States, and then and there vote for President and Vice-President of the United States and to perform such other duties as devolve upon them under the Constitution and laws of the United States.

Given under my hand and the Great Seal of the State at the city of Harrisburg, this seventeenth day of November, in the year of our Lord one thousand eight hundred and ninety-six and of the Commonwealth the one hundred and twenty-first.

DANIEL H. HASTINGS.

By the Governor:

Frank Reeder,

Secretary of the Commonwealth.

Proclamation of the Cancellation of One Thousand and Four Dollars of the Principal Debt of the Commonwealth Through the Sinking Fund.

IN THE NAME AND BY THE AUthority of the Commonwealth of Pennsylvania, Executive Department.

To all to whom these Presents shall come, Greeting:

A PROCLAMATION.

Whereas, By the third section of an Act of the General Assembly of this Commonwealth, entitled "An Act to establish a Sinking Fund for the payment of the Public Debt," approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight, and the supplement thereto, approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-eight, it is made the duty of the Secretary of the Commonwealth, Auditor General and State Treasurer, Commissioners of the Sinking Fund created by the first recited Act of the General Assembly, to report and certify to the Governor annually, the amount received under the said Act, the amount of interest paid, and the amount of the debt of the Commonwealth redeemed and held by them; Whereupon the Governor shall direct the certificates representing the indebtedness to be cancelled, and on such cancellation issue his Proclamation, stating the fact and the extinguishment and final discharge of so much of the principal of said debt, and

Whereas, Frank Reeder, Amos Mylin and Benjamin J. Haywood, Commissioners of the Sinking Fund, in obedience to the requirements of said enactments, report and certify to me that the amount of the debt of the Commonwealth, redeemed and held by them for

the fiscal year ending on the thirtieth day of November, A. D. 1896, is one thousand and four dollars, made up as follows:

By redemption of Loan of April 1st, 1879, ...	$1,000 00
By redemption of Relief notes, Lancaster Bank (re-issue), ...	4 00
Total, ...	$1,004 00

Now Therefore, I. DANIEL H. HASTINGS, Governor of the said Commonwealth in compliance with the provisions of the above recited Act of the General Assembly, do issue this my Proclamation declaring the payment, cancellation, extinguishment and discharge of one thousand and four dollars of the principal of the public debt of this Commonwealth.

Given under my hand and the Great Seal of the State at the city of Harrisburg, this ninth day of December, in the year of our Lord one thousand eight hundred and ninety-six and of the Commonwealth the one hundred and twenty-first.

DANIEL H. HASTINGS.

By the Governor:
Frank Reeder,
Secretary of the Commonwealth.

Biennial Message to the Assembly—1897.

Executive Department,
Commonwealth of Pennsylvania,
Office of the Governor,
Harrisburg, January 5, 1897.

Gentlemen:—

IN COMPLIANCE WITH LAW, I HAVE THE honor to submit, at the beginning of your labors, such information "of the state of the Commonwealth," and to lay before you such recommendations

as appear to be timely and proper for your consideration.

It is with profound satisfaction I have to record that the two years intervening since your last meeting here have, notwithstanding the general depression throughout the land, left the prosperity of our people, our institutions and our industrial and commercial conditions comparatively unimpaired. There has been a steady increase in our population. Our farms have yielded abundant crops and our agricultureal interests have been thereby comparatively advantaged, notwithstanding the low prices of farm products. Our manufacturing and mining interests, while suffering their full share in the general depression, have stood the strain with unabated confidence in the future. No occasion has existed for calling forth the strong arm of the State to stay the destructive hand of the lawless. No pestilence has disturbed the general health of the people, and no great calamity of flood or fire has come upon us. Our schools and other establishments of learning have enjoyed the intelligent and constant support of our people, while our institutions for charity and correction have been as a rule wisely administered. There has been unusual opportunity for the hand of charity and benevolence, and I feel confident in saying there has never been a period in the history of the Commonwealth when these virtues were so generally and generously exhibited. At the beginning of your labors there is abundant room for thanksgiving to Almighty God.

The importance of the trust committed by the people to your hands at this time is paramount. You come fresh from the people and are familiar with the needs and desires of those whom you represent. If the law permitted special legislation, each representative would doubtless be ready at once to formulate the measures required by his immediate constituents. Un-

der our Constitution, however, legislation, as a rule, must relate to the people as a whole and affect all portions of the State, thus requiring from each of you a larger and broader view of every question than that circumscribed by the limits of your several districts, thus making you individually, and in large measure, the representatives of the entire State. Our great Commonwealth, with its growing population, its villages and towns and cities, small and great, its varied industries and fertile fields, its stores of natural wealth, its treasures of iron, coal and oil, supplying the demands of a continent, should exact from you such wise adjustment and extension of existing laws as will meet the legitimate requirements of our growing and changing conditions.

The Constitution is the chart by which you will be guided in your work, while every effort at legislation must necessitate recurrence to the great body of existing statutes. Upon these, the rights, duties, property and privileges of the citizen depend. You are to uphold the arm of justice, and, in all contentions and struggles incident to individual and corporate effort, stand for that quality of fair play which injures none and is helpful to all.

Your honorable bodies being a co-ordinate branch of the State government, your official work is entitled to the respectful as well as the discriminating judgment of your constituencies. It is an unhealthy condition in the body politic which invites fatuous and unwarranted criticism and condemnation. Respect for and obedience to law involve also the same sentiments for the law maker. The correctness of your motives and actions should command the trustful confidence of those who called you to represent them. The individual or corporation that seeks to obtain from you a dishonest advantage over his neighbor or competitor, or to bring gain to himself at the expense of the State, as well

as the briber and lobbyist, should be driven from your halls, as the common enemy of the people. The moral, intellectual and patriotic forces in the Commonwealth are constantly demanding and creating higher standards, and those laws will be most easily enforced which are in harmony with these ideals. Good citizenship comes, not from the enforced obedience to law, but from the fundamental principles of morality, virtue and patriotism which are inculcated by a higher law even than Constitutions and statutes.

With this communication are transmitted the reports of the several departments and the boards and commissions which constitute the Executive establishment of the State. While commending them to your earnest attention, I beg leave, in accordance with law and custom, to invite your attention to the following summary:

FINANCES OF THE COMMONWEALTH.

In the sepcial message which I had the honor to present to the General Assembly on the 26th day of February, 1895, I called attention to the necessity for economy in the expenditure of public moneys, owing to the falling off of the revenues, and at the same time submitted an estimate made by the fiscal officers of the State that the net revenues for 1895 and 1896 would not exceed $9,455,725 per annum. The report of the State Treasurer shows that the net revenues for the year 1895 amounted to $9,624,654.99, and for the past year to $10,176,745.74, proving that the estimates of the Auditor General and State Treasurer were not only conservative, but approximately correct. Indeed their estimate would have exceeded the amount of the actual revenues had not the Auditor General and Attorney General made diligent effort by legal process and otherwise to enforce payment of overdue taxes. The records show that the Auditor General placed in the hands of the Attorney General one thousand and four claims against delinquent corporations. The latter instituted

679 suits at law for their collection, and collected there from and paid into the Treasury the sum of $845,211.16. While the reports of the Auditor General and State Treasurer show that the total revenues of the State for 1895 were $11,377,039.60, the fact must not be overlooked that $1,753,384.71 of this amount is in no wise available, representing as it does three-fourths of the personal property tax collected and required to be immediately paid back to the several counties, and includes fines, penalties and other similar items which the law requires to pass through the Treasury. In like manner for the year 1896, the total revenues, as shown below, were $12,265,756.09, from which must be deducted the fractional share of the personal property tax and other items as above indicated, amounting to $2,089,010.35, leaving the net income of the State $10,176,745.74.

SINKING FUND—1895.

The receipts of the sinking fund from the first day of December, 1894, to the 30th day of November, 1895, inclusive, were $652,990.50, from the following sources, to-wit, viz:

Cash balance in sinking fund December 1st, 1894,		$66,383 53
From Allegheny Valley Railroad bond,	$100,000 00	
From interest on A. V. R. R. bond,	72,500 00	
From interest on U. S. Government bond,	111,000 00	
From amount transferred from general fund,	269,371 50	
From quarterly assignment from general fund,	100,000 00	
From fines for Sabbath breaking,	119 00	
Payments for the year ending November 30th, 1895:		
By redemption of 4 per cent. loan of April 1, 1879,	2,800 00	
		652,990 50
		$719,374 03

By redemption of 5 per cent loan of March 20, 1877,	$500 00	
By payment of interest on public debt,	269,371 50	
By fiscal agent, compensation,	6,000 00	
By redemption of Chambersburg certificates and interest thereon,	67 34	
		278,738 84
Balance in sinking fund,		$440,635 19

PUBLIC DEBT—1895.

Statement showing the indebtedness of the Commonwealth of Pennsylvania on the first day of December, 1895:

Funded debt:		
Three and one-half per cent. currency loan, due 1912,		$1,642,900 00
Four per cent. currency loan, due 1912,		4,521,250 00
Six per cent. Agricultural College scrip bond, payable 1922,		500,000 00
Six per cent. proceeds from sale of experimental farms,		17,000 00
		$6,681,150 00
Unfunded debt and debt upon which interest has ceased:		
Relief notes, act of 1841,	$96,136 00	
Interest certificates unclaimed,	4,448 38	
Interest certificates outstanding,	13,038 54	
Chambersburg certificates unclaimed,	96 85	
Domestic creditor,	25 00	
Four per cent. bonds upon which interest has ceased,	1,000 00	
Five per cent. bonds upon which interest has ceased,	18,414 70	
Six per cent. bonds upon which interest has ceased,	2,000 00	
		135,159 47
Public debt December 1st, 1895,		$6,816,309 47

Assets of the sinking fund:		
Allegheny Valley Railroad bonds,...	$1,400,000 00	
Interest on above to November 30, 1895, ...	29,166 66	
U. S. 4 per cent. bonds, $2,775,000 at 112, ...	3,108,000 00	
Cash on hand, ...	440,635 19	
Total assets of the sinking fund, ...		4,977,801 85
Net debt November 30th, 1895, ...		$1,838,507 62

SINKING FUND—1896.

The receipts of the sinking fund from the first day of December, 1895, to the thirtieth day of November, 1896, inlcusive, were $648,087.50, from the following sources, to-wit, viz:

From Allegheny Valley R. R. Co.,...	$100,000 00	
From Allegheny Valley R. R. Co., interest on bonds, ...	67,500 00	
From interest from U. S. Government on bonds, ...	111,000 00	
From transfer from general fund for payment of interest on public debt,	269,371 50	
From quarterly assignment from general fund, ...	100,000 00	
From fines for Sabbath breaking, act of 1794, ...	216 00	
		$648,087 50
Cash balance on hand December 1st, 1895, ...		440,635 19
		$1,088,722 69
Payments for year ending November 30th, 1896:		
By redemption of loan of April 1, 1879, ...	$1,000 00	
By redemption of relief note, Lancaster Bank (re-issue), ...	4 00	

By payment of interest on public debt,	269,371 50	
By compensation to fiscal agent,	6,000 00	
		267,375 50
Balance November 30th, 1896,		$812,347 19

PUBLIC DEBT—1896.

The net public debt is a little more than a million and a half dollars, being more nearly extinguished than in any period of the State's history within the past fifty years. The following summary of the public debt shows its exact condition on the first day of December, 1896:

Three and one-half per cent. currency loan, due 1912,		$1,642,900 00
Four per cent. currency loan, due 1912,		4,521 250 00
Six per cent. Agricultural College scrip bond, payable 1922,		500,000 00
Six per cent. proceeds from sale of experimental farms,		17,000 00
		$6,681,150 00
Unfunded debt and debt upon which interest has ceased:		
Relief notes, act of 1841,	$96,132 00	
Interest certificates unclaimed,	4,448 38	
Interest certificates outstanding,	13,038 54	
Chambersburg certificates unclaimed,	96 85	
Domestic creditor,	25 00	
Five per cent. bonds upon which interest has ceased,	18,414 70	
Six per cent. bonds upon which interest has ceased,	2,000 00	
		134,155 47
Public debt December 1st, 1896,		$6,815,305 47

Assets of the sinking fund:		
Bonds of the Allegheny Valley R. R. Co.,	$1,300,000 00	
Interest on above to November 30th, 1896,	27,083 34	
United States 4 per cent. registered bonds, $2,775,000, at 109,	3,024,750 00	
Cash on hand,	812,347 19	
		5,164,180 53
Net debt,		$1,651,124 94

THE REVENUES OF THE COMMONWEALTH.

The revenues of the Commonwealth for the year ended November 30th, 1895, were as follows:

Land,	$2,160 00
Tax on corporations,	6,554,167 47
Tax on personal property,	2,307,936 32
Tax on writs,	155,231 22
Tax on collateral inheritance,	1,092,993 05
Licenses of all kinds,	1,342,987 35
United States Government (which includes proceeds from the sale of bonds, interest on U. S. consols, war claims and maintenance of Soldiers' and Sailors' Home, Erie, Pa.),	144,238 72
Fees of public officers,	172,642 43
Miscellaneous,	86,173 54
Allegheny Valley Railroad Company,	172,500 00
Total,	$12,030,030 10
Balance in Treasury November 30, 1894,	$5,081,325 71
Total in Treasury November 30, 1895,	$17,111,356 81
Expenditures of Commonwealth for year ended November 30, 1895,	13,681,701 74
Balance in Treasury November 30, 1895,	$3,429,654 07

This balance is made up as follows:

In general fund,	$2,989,018 88
In sinking fund,	440,635 19
	$3,429,654 07

EXPENDITURES OF THE COMMONWEALTH
For the year ended November 30th, 1895, were:

Expenses of the government,	$2,269,600 44
Loans,	247,718 84
Hospitals and asylums,	609,729 70
Penitentiaries,	121,530 94
Charitable institutions,	1,010,253 25
Reformatories,	240,260 68
Miscellaneous institutions,	203,783 17
State tax on personal property, returned to counties,	1,575,019 70
Common schools (including normal schools),	6,117,261 56
Soldiers' orphans' schools,	225,688 01
Chickamauga and Chattonooga and Gettysburg Monumental Associations and Commissions,	67,925 81
Soldiers' and Sailors' home,	100,859 59
National Guards of Pennsylvania,	378,170 98
Military claims,	269 41
Pensions and gratuities,	6,104 01
Harrisburg fire companies,	900 00
Escheats,	1,676 40
Collateral inheritance tax refunded,	495 43
Second geological survey,	8,525 00
Building commissions, institutions, special and other commissions,	447,848 74
Miscellaneous,	48,080 08
Total,	$13,681,701 74

REVENUES OF THE COMMONWEALTH
For the year ended November 30th, 1896, were:

Land,	$2,861 91
Tax on corporations,	7,214,649 49

Tax on personal property,	2,717,619 25
Tax on writs,	145,518 21
Tax on collateral inheritance,	925,717 02
Licenses of all kinds,	1,379,955 46
United States government (which includes proceeds from the sale of bonds, interest on United States consols, war claims and maintenance of Soldiers' and Sailors' Home, Erie, Pa.),	188,084 77
Allegheny Valley Railroad Company,	135,000 00
Fees of public officers,	149,863 68
Miscellaneous,	54,573 80
Total revenues for year ended November 30, 1896,	$12,913,843 59
Balance in Treasury November 30, 1895,..	3,429,654 07
Total,	$16,343,497 66
Expenditures of the Commonwealth for year ended November 30, 1896,	11,280,893 47
Balance in Treasury November 30, 1896,...	$5,062,604 19

This balance is made up as follows:

In general fund,	$4,250,257 00
In sinking fund,	812,347 19
	$5,062,604 19

EXPENDITURES OF THE COMMONWEALTH

For the year ended November 30th, 1896, were:

Expenses of government,	$1,935,326 68
Loans,	245,355 50
Hospitals and asylums,	754,879 85
Penitentiaries,	137,283 43
Reformatories,	207,952 54
Charitable institutions,	1,144,837 04
Miscellaneous institutions,	146,287 42
State tax on personal property returned to counties,	2,038,936 04
Common schools (including normal schools), ..	3,855,645 83

Soldiers' orphans' schools,	186,193 83
Chickamauga and Chattanooga and Gettysburg Monumental Associations and Commissions,	21,526 65
Soldiers' and Sailors' home,	95,000 00
National Guards of Pennsylvania,	329,340 57
Military claims,	65 63
Pensions and gratuities,	5,412 88
Harrisburg fire companies,	1,300 00
Escheats,	2,722 31
Collateral inheritance tax refunded,	1,402 62
Building commissions, institutions, special and other commissions,	157,494 92
Miscellaneous,	13,929 73
Total,	$11,280,893 47

It will be seen from the above statements of the fiscal officers that the net debt of the State on the 30th of November, 1896, was $1,651,124.94, being less than at any time within the last fifty years. Of the balance, $5,062,604.19 of the fund in the Treasury on the 30th of November, 1896, as shown by the Auditor General's report, $812,347.19 by operation of law belongs to the sinking fund, leaving $4,250,257.00 in the general fund. The law requiring three-fourths of the State tax on personal property to be repaid by the State Treasurer to the several counties will reduce this amount to the extent of $1,406,692.79, and when so paid will leave a net balance in the general fund of $2,843,564.21 of available fund to meet the expenses of the State.

Of the appropriations made by the last General Assembly, the following amounts still remain unpaid:

Educational,	$3,437,170 95
Charitable institutions,	128,034 26
Charitable hospitals,	725,048 96
Insane institutions,	288,431 32
Penitentiaries and reformatories,	220,068 93
Department expenses,	1,024,851 12
Miscellaneous,	96,719 94
Total,	$5,920,325 48

Nearly all of these appropriations are due and are being paid as rapidly as possible, care being taken to meet the necessities of the institutions depending solely upon State aid. This large sum will be still further increased five and one-half million dollars appropriated by the last General Assembly for the public schools for the year beginning June 1st, 1897. It is, however, expected by the fiscal officers that the current revenues will be sufficient to meet these demands. The Auditor General and State Treasurer have submitted to me a detailed statement of the estimated revenues for the years 1897 and 1898. Their estimate is based upon the income for the years 1895 and 1896, and amounts to $9,768,829 for each of the coming two years. This estimate is submitted for your information and guidance in making appropriations covering that period. Notwithstanding the State debt has been almost entirely provided for, the above figures will indicate clearly to you that the appropriation of public moneys should be reduced below the amount appropriated by the last General Assembly, unless some means can be devised for increasing the revenues.

On the 26th of June, 1895, a joint resolution was approved which authorized and directed the Auditor General to collect information and data relative to the taxation of persons and property and to classify and tabulate the same, as provided for in House bill No. 239, relating to the public revenues which was then under consideration. In pursuance of that resolution, the Auditor General has been collecting the necessary data and will doubtless be able to submit to you, as required by the resolution, the results thus obtained. I, therefore, withhold for the present any recommendation on this subject.

By an act of Assembly approved April 21, 1858, the Farmers' and Mechanics' Bank, of Philadelphia, was authorized and empowered to perform certain duties

relative to the several loans of this Commonwealth, and in consideration of such services the bank by said act of Assembly was entitled to an annual abatement of $6,000 from its taxes, which during the past thirty-eight years has yielded said bank the sum of $228,000.

The net public debt of the State is now $1,651,124.94, is well in hand and the further payment or allowance of the act must be considered now a useless expenditure of public money. The State Treasurer himself, who is required to give a bond in the sum of $500,000 and is made individually responsible for the large volumes of money passing through his hands, receives a salary of only $5,000.

The banking institutions who receive deposits from the State's Treasury, both of the sinking fund and of the current receipts, instead of receiving a salary therefor, should be required to pay the customary rates of interest on such deposits the same as if received from individuals or other banking institutions. There appears no sufficient reason why such interest should not be exacted by law from the banking institutions seeking the advantage of such deposits.

DEPARTMENT OF PUBLIC SCHOOLS.

The appropriation of five and one-half million dollars to the public schools has attracted widespread attention to the method of its distribution among the several school districts of the State, and there appears to be ground for the general complaint that the distribution is not fair and equitable, all things considered. The present method is based upon the number of resident taxables in each district, as reported after each triennial assessment by the county commissioners to the Department of Public Instruction. When we consider that it is the duty of the State to provide at public expense equal common school advantages for all its youth, the present method is clearly at fault. As the

Superintendent of Public Instruction in his last annual report has stated, "it discriminates against the districts which lack industries to hold their adult population and in favor of districts toward which the young people gravitate as soon as their school days are ended." Most of the states distribute their school money upon the basis of the number of children to be educated. This method discriminates against the sparsely settled districts. The elements to be considered in the distribution of the school fund should include not only the number of taxables in each district, but the number of children of school age as well, and also the ever present necessity of maintaining each individual school, the cost of which is a constant factor in all districts, regardless of the population or the number of taxpayers. If one-third of the appropriation for each district should be based upon the number of taxables, and another third upon the number of children of school age, and the remaining third upon the basis of the number of schools in each district, the equity and fairness of the distribution would be more nearly approximated. Whether this is the best method that may be devised, is a question for your consideration, but the necessity for readjustment of the present plan of distribution is apparent. The amount raised by local taxation in nearly all of the school districts exceeds the sum appropriated by the State. In many districts it is several times greater. There are, however, a few districts that fail to raise by local taxation as much as they receive from the State, while there are still others that have failed to levy any school tax whatever since the increase of the State appropriation. It is unnecessary to say that these districts are giving the smallest measure of interest and support to the schools. School tax, as well as other levies, is most carefully handled when it comes out of the pockets of those for whose benefit it is expended and is, as a rule, much

more carefully guarded than the money which comes from other people's pockets. The recommendation of the Superintendent of Public Instruction, that districts should not receive more money from the State than they raise by taxation, is timely and founded on sound principle.

Another and far more significant inequality in our school system has become apparent with the growth of our population and the necessity for better and higher educational advantages in the rural districts. The business prosperity of many of our towns and smaller cities is dependent upon the welfare of the people in the surrounding country. The lack of school facilities in the country is causing many of our citizens to move to the boroughs and cities in order to educate their children. This tendency is harmful both to the centers of population and to the country districts. Most of the agricultural communities in the State afford institution only in the common branches, and those living therein, who desire their children to advance beyond the common school limit, are compelled to send them away from home to obtain such advantage. This tendency to leave home for a better education is depopulating the country and is leading to the towns and cities, to engage in other enterprises, many young men who otherwise would live out their lives upon the farm. The agricultural interest is the largest and most important in the State, and in all adjustments of legislation should receive the consideration which its importance deserves. The time has now come, in my judgment, when the rural districts should be supplied with high school facilities, equal to those enjoyed by the towns and smaller cities of the Commonwealth.

Educators as well as parents, do not under-estimate the advantages of home life to children while being

educated, and both deprecate the conditions that prevent "equal common school advantages" as required by the Constitution. Those of our farming people, who desire advanced education for their children, are placed at extraordinary expense in sending them away from home, while many of the poorer residents of farming communities are prevented from advancing their boys and girls beyond the common school, because they cannot afford the increased outlay. The growing interest in improved methods of agriculture is bringing to our farms the best efforts of well trained intellects. If the Pennsylvania farmer is to complete successfully with his brother in the natural gardens of the Mississippi Valley, he must bring with his work the intelligent application of experience and science to the conditions that surround him. Without the opportunity for education at home, parents are constantly compelled to combat the tendency of youth to stay away from home after they have formed new associations and attachments and have become familiar with the life they find in towns and cities. A glance at the census reports shows that with all the growth and shifting of the population in the State, the agricultural portions are being depopulated more and more each year. The time is at hand to give the youth of the township advantages equal to those found in the towns and smaller cities, and the remedy it is believed is neither expensive nor at variance with our educational system. The township high school is needed in our agricultural communities to provide equal opportunities and advantages with those now in existence in the towns. If the population of one township, and other conditions, should not require a separate high school, two or more townships could unite and jointly share the expense and advantage. Ten acres of ground, partly wooded, a stream of water, a commodious play ground, with facilities for an arboretum, orchard, gar-

den, flowers and park, surrounding a suitable building fully equipped, and with competent teachers, conducting the scholars, who have passed beyond the district school, through a three or four years' high school course, is a consummation which, besides being pleasant to contemplate, is neither impossible nor unnecessarily expensive. The State can make no better use of its revenues than to employ them in this direction. We boast of our great material resources. They were here ages before William Penn became our founder. They were valueless until touched by the hand of man. Man makes the state. Coal and iron, oil and gas, fertile soil and boundless forests are only adjuncts. Mind training should be the chief industry. The intellectual and moral development of the youth of the land is the paramount duty. The same spirit which built the church and brought religious teaching to the home of the poor as well as the rich ought surely to bring to the door of all the opportunity for that education best suited to their needs, capacity and natural adaption. The township high school will place the farmer's boy on the same basis with the town and city boy. The states of Maine, Wisconsin, Michigan and Massachusetts have pointed the way to secondary and higher education worthy of our emulation. The twentieth century system of free education should make it possible for every boy and girl beginning with the common school, to continue through the high school up to the end of the college course. A large number might not avail themselves of the advantages of the college course, but the opportunity should be ever present for the deserving patron of the common and high school. The connecting link between the high school and the college, as a part of a free educational system, has been an accomplished fact for several years in at least one of our sister states.

PENAL INSTITUTIONS.

The report of the Board of Commissioners of Public Charities calls attention to the overcrowded condition of our State penitentiaries. The following figures will show their population respectively on September 30th, 1896:

	Eastern Penitentiary.	Western Penitentiary.	Industrial Reformatory.	Total.
Number of cells,	765	1,200	804	2,769
Oct. 1, 1895, there were,	1,380	1,151	489	3,020
Committed during the year,	601	336	333	1,270
Population,	1,981	1,487	822	4,290
Discharged during the year,	634	471	293	1,398
Remaining Sept. 30, 1896,	1,347	1,016	529	2,892

This overcrowed condition of the penitentiaries will no doubt secure that prompt action which necessity requires. The methods of relief suggested are:

(1). The erection of another penitentiary.

(2). Enlargement of existing penitentiaries, or

(3). Such modification of existing laws as to require counties to keep criminals convicted of minor offenses in their respective jails.

The construction of a new penitentiary and preparing it for occupancy would require from three to five years time, and would probably cost from two millions to three millions of dollars.

Enlargement of the present institutions, while not estimated to cost so much as a new establishment, would require probably as much time in construction, while the concentration and increase of the convict population in a single institution, it is generally admitted would be a serious detriment.

A glance at the official statistics shows that crime is increasing at a more rapid ratio than our population, and it is well to consider whether the State shall adopt the practice of erecting an additional prison at large expense, at stated intervals, or inaugurate a policy of utilizing the county prisons, or some of them for such purposes. The latter suggestion involves a general re-organization of our prisons under some common authority, such as shall supply the means necessary for both separate and congregate confinement. The varying character, capacity for reform, and history of the convict, require either method of confinement, in order to accomplish the true purpose of the State—deterrent punishment and reformatory encouragement. But with our present prison facilities, neither method is possible to the extent required.

Of the sixty-seven prisons in the counties of the State, the Board of Commissioners of Public Charities report a considerable number in good condition for either method of treatment, while a majority of them could be remodelled for the purpose at a comparatively small cost. The jails are in chage of sheriffs elected for a term of three years and ineligible for re-election. They have, as a rule, little experience with convicts and less knowledge of penology. The prisoners are allowed to congregate in idleness in the corridors and find their only employment in trifling pastimes and vile conversation. The youth of infirm will who is both deterrable and curable, the accidental offender who is often reclaimable, and the hardened criminal, whose confinement alone keeps him from further crime, spend day after day in each other's company. This congregate policy makes the prison a nest and nursery of crime, and the prisoner often goes forth a worse enemy of society than when he entered.

Reliable statistics prove that the separate method of treatment, where it does not conduce to insanity, of the

first two classes above enumerated, which includes the promotion and guidance of salutary reflection, the prevention of mutual criminal education in jail, the imposed task of daily handwork, and the protection of the repentant convict from blackmail by his former prison associates, is by far the safer and better treatment.

In France, Germany, Austria, England and Italy prisons have in recent years been constructed and adapted to the separate treatment. It has been also to some extent adopted in Massachusetts. The reconstruction laws of 1865 and 1877 of Great Britain, according to the official report of the late chairman of the British Prison Commissioners, reduced in a few years the number of prisons in England and Wales from one hundred and thirteen to fifty-nine, while the number of convicts for felonies from 1864 to 1884 was reduced fifty-nine per cent. This remarkable reduction was, however, assisted somewhat by several improvements in the penal code. The scope of these laws provides for a board of five inspectors, appointed by the county for each county jail, who serve without pay, and a general or State board of five Commissioners, who also serve without compensation, to whom the local boards are required to account. The Board of State Commissioners is authorized, with Executive approval, to make and enforce general rules for government and discipline, to transfer prisoners from one prison to another, to modify or consolidate jails, to adjust with the counties the cost thus imposed and to have general oversight and care of the convicts, working through the inspectors of the several county prisons. The relief thus afforded the several counties in the payment by the State of the cost of keeping and care of the prisoners, would be of substantial advantage, while the only sufferer would be the sheriff whose

profit, being the difference between what it cost to feed the prisoners and what the county pays him, would to that extent be diminished.

The plan, thus briefly outlined would bring uniformity in the treatment of all classes of offenders against society, would place their care in disinterested hands, obviate the expense of erecting additional penitentiaries, reduce the per capita cost of care and keeping, and thus be of substantial economy to the taxpayer, and bring the system, which is now as varied as the different special laws for the several counties, into a general organization, whose simplicity and effectiveness have stood the test of experience in many of the older civilizations of the world.

Should the General Assembly, in its wisdom, undertake the work of providing for the relief of our overcrowded penitentiaries, it is further suggested that the time has come for the abolition of "contract" labor in any guise in our penal institutions.

While labor is generally necessary for the physical and mental health of the prisoner, and the learning of a trade often advantageous after the term of sentence expires, yet the doing of that work which converts the prison into a factory, requiring machinery and steam or electric power for the purpose, and requiring sale of the product to make profit or meet expenses, is doing a wrong to honest labor. No prisoner should be made a worse man while in the custody of the State.

Congregate labor brings the first offender in daily contact with the worst offender in the prison. This is particularly true when power-driven machinery is used. It turns the prison into a factory. It makes the State a competitor with honest, law-abiding manufacturers. It forces crime, housed and fed and unpaid crime, into competition with the honest toiler who must work or starve.

Your attention is directed to the urgent necessity for another State Hospital for the insane. Proof of the overcrowded condition of the five existing hospitals is contained in the following official census furnished by the Board of Commissioners of Public Charities:

NUMBER OF PATIENTS:

	1895.	1896.	Increase.
Harrisburg,	845 patients.	902 patients.	57 patients.
Danville,	1,014 patients.	1,019 patients.	5 patients.
Norristown,	1,813 patients.	1,945 patients.	132 patients.
Warren,	908 patients.	954 patients.	46 patients.
Dixmont,	743 patients.	776 patients.	33 patients.
Totals,	5,323 patients.	5,596 patients.	273 patients.

Taking a larger view and including all the institutions for the insane of the State, public and private, we have the following:

State hospitals, 1896, contained 5,596 patients; increase, 273 insane.

Wernersville Asylum, 1896, contained 764 patients, increase, no insane.

Private hospitals, 1896, contained 651 patients; decrease, 18 insane.

Almshouses, 1896, contained 2,442 patients; increase, 301 insane.

Penitentiaries, 1896, contained 14 patients; increase, 1 insane.

County jails, 1896, contained 6 patients; decrease, 12 insane.

Total, 9,473 patients; increase, 545 insane.

There are now in these hospitals 1,261 patients in excess of their capacity, making it impossible to give proper classification and treatment of those already admitted. This does not take into consideration the large number for whom admission has been requested.

For the past thirteen years the annual increase of insane patients in all institutions receiving insane is alarming. The total in all institutions was in—

1884, 5,374 an increase of 36 over the previous year.
1885, 5,640 an increase of 266 over the previous year.
1886, 5,923 an increase of 283 over the previous year.
1887, 6,259 an increase of 336 over the previous year.
1888, 6,510 an increase of 251 over the previous year.
1889, 6,884 an increase of 374 over the previous year.
1890, 7,399 an increase of 515 over the previous year.
1891, 7,649 an increase of 250 over the previous year.
1892, 7,855 an increase of 206 over the previous year.
1893, 8,104 an increase of 249 over the previous year.
1894, 8,616 an increase of 512 over the previous year.
1895, 8,928 an increase of 312 over the previous year.
1896, 9,473 an increase of 545 over the previous year.

The sum of these annual increases is 4,135, or an average annual increase of 318 patients.

The erection of a new hospital and preparing it for occupancy will require scarcely less than three years' time, and at the end of three years, according to the ratio above indicated, the State will require additional capacity for at least 2,000 patients. The establishment of a new institution at this time is a pressing public necessity.

Inasmuch as about one-seventh of our population prefers the homeopathic school of medical treatment, it has been urged, and with much force, that the proposed institution should be exclusively under homeopathic management and control. The Homeopathic Hospital for the Insane of New York, founded years ago, is pointed to as second to none in the country in its result of medical care and treatment.

The continued increase in numbers of the insane presents a serious problem. If the ratio continue, the hospital now so imperatively required will hardly be completed until equally pressing necessity will exist for another of similar capacity, and each future Legislature will probably be called upon to provide an addi-

tional hospital. These establishments are palatial and costly and impose enormous burdens upon the taxpayer. The alarming apprehension confronts us of the impossibility of providing such new institutions every few years to supply increasing demands. As a remedy, the Board of Commissioners of Public Charities proposes that the several counties provide for the care, employment, treatment and maintenance of such of their insane as do not require State hospital care. This plan involves the erection of county asylums by the several counties at their own proper expense. Two or more counties might unite for the purpose. It is held that the chronic insane could here receive treatment, on an industrial basis, that would equal in every way the care given in the State hospitals. The inducement to the counties would be the payment of an adequate weekly per capita allowance by the State which would reduce the present rate of county expense, and at the same time maintain the State supervision. More than half of our hospital population is composed of chronic insane. Most of them could be supported at a total cost of from $1.75 to $2.00 per week. This is now being done in some of county asylums. Yet our State hospitals are overcrowded with them at an average weekly cost of $3.75. The county asylum plan has had sixteen years successful experience in Wisconsin. It was commenced there when conditions prevailed very similar to those now existing here. Her State hospitals were overcrowded and she could not afford to continue building them at enormous outlay and maintain them at a wasteful per capital cost. Wisconsin pays to the counties $1.50 per week for each patient maintained in the county asylum. Some of our county and many of our municipal almshouses are now fully equipped for the care and proper treatment of all classes of insane. The local asylums once in operation, and the State hospitals freed from a large percentage of their

inmates, would be able to supply all the hospital accommodations required and thus avoid the necessity for additional establishments.

The care of insane convicts will also engage your consideration. It is repugnant to every right quality of humanity to condemn lunatics to penal servitude. The subject is not new but public attention has been recently again called to the necessity for their separate treatment. The condition and requirements of insane convicts first engaged the attention of the General Assembly in 1875. The report of the commission then appointed clearly indicated the necessity for separate care and treatment. The Board of Public Charities from that time to the present has reiterated and emphasized such necessity. To condemn inoffensive citizens, whose only misfortune is the dethronement of reason, to daily and hourly association with convicts who become insane while serving out their sentence, is both unmerciful and inhuman. The convict insane, as a rule, are a dangerous class, their insanity reacting most unfavorably upon their evil dispositions, requiring a combination of prison and hospital care. None of our ordinary hospitals for the insane combine these requirements. Convict patients frequently escape from them and thus become a menace to the community. Prisoners serving sentences have been known, not infrequently, to feign insanity in hope of being transferred to a hospital from which they may escape. Since the detention of insane convicts is so manifestly unwise and undesirable in either the hospital or the ordinary prison, their proper refuge should be in a separate institution combining both methods of treatment. The necessity for prompt action is strongly urged.

In this regard it is proper to state that the indigent epileptics and epileptic insane require that quality of care and treatment which it is clearly impossible for

them to receive either in the State prison, State hospital or almshouse. Their presence in either is most undesirable for reasons well known to the penologist. Both these and the ordinary insane affect each other very unfavorably. Unsatisfactory and discouraging results have come from the enforced nature of their treatment, and their presence in the State hospital or prison, instead of being beneficial, has proved a positive injury. In other states, notably New York, and at Galipolis, Ohio, where they are cared for on the cottage plan with farm attached, very satisfactory results have been obtained. Out door occupation, so necessary for this class of defectives, cannot be provided under their present treatment. On September 30th, 1896, the State hospitals for the insane contained 498 epileptics and the almshouses 186, making a total of 684. The Board of Public Charities will present a bill to provide for the erection of a hospital for epileptics.

Before leaving this important subject it is deemed proper to say that no branch of our State economy calls for more serious and intelligent consideration than that which may be classed as charities and corrections. Crime and insanity keep pace with the growth of our population. The burden rests heavily upon the State. The sums of money required from the taxpayers are almost appailing. Nevertheless, we cannot escape either the responsibility or the duty imposed by their presence. Society must be protected from the vicious and the vicious from themselves, while the unfortunate in mind and body must have the presence of humanity's sheltering hand. To both should be brought those qualities of justice and charity which an enlightened and Christian people learn from experience and the true instincts of humanity. The burden and the duty are upon you as the chosen representatives of the people to make wise provisions for their care and treatment, and in doing so to have a care for

the growing demands of a great Commonwealth, and the trusteeship involved in expending her bounties.

STATE SANITATION.

The report of the State Board of Health shows that the act of General Assembly approved May 11th, 1893, has been complied with to the extent that there are now twenty-five city boards of health and five hundred and thirty-two borough boards. The wise provisions then enacted into law for the purpose of preventing the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places, and by the arrest, separation and treatment of infected persons and by abating and removing nuisances prejudicial to public health, have been to a large extent observed by the people of the State. The Board of Health, however, estimating the population at six millions, concludes that the jurisdiction of these boards covers probably not more than one-twentieth of the area of the State, leaving at least one-half of our population still unprotected by local boards of health. There are still a large number of boroughs which have not yet complied with the requirements of the law. The sanitary supervision of those portions of the State which lie outside of the jurisdiction of the city and boroughs boards is exercised by the State Board. The care which the latter authority is able to exercise in the protection of the public health in these extensive regions is necessarily imperfect. In case of an epidemic outbreak it often happens that the State Board receives no notice of the fact until the pest has assumed serious proportions and in many instances it is dependent upon private citizens for such information as it may finally secure. The result of such an incomplete health organization is that epidemic diseases become widely disseminated among the unprotected portions of our people and by their extensive diffusion a menace to health and life. The borough or city threat-

ened with an invasion of a spreading epidemic cannot make itself secure against the disease, even by the establishment of a sanitary cordon, because it is impossible in these days to cut itself off from the outside world of business and social life. The almost constant existence of some epidemic maladies has a tendency to impress upon the people the idea that they are a sort of inevitable condition of our existence, against which it is useless to strive, and that the only thing to be done in the presence of an epidemic is to let it burn itself out. This condition of local sentiment stands in the way of that sanitary education in which the city and the local boards are actively engaged and makes the work of general sanitation more difficult and costly than it would be otherwise. It is, therefore, important that a complete organization should be extended over every village and township, the same as is now maintained in cities and boroughs.

The need of a suitable system of registration of vital statistics is also being constantly brought to the attention of the health authorities. In an enlightened community there live but few people of mature age whose birth, marriage or death does not at some time become a matter for the cognizance and consideration of legal authorities. The attainment of majority with its rights and duties, the fact and date of wedlock, the inheritance or conveyance of property, parentage and nationality, place, date and cause of death and interment, and many other questions of a sociological, economic, sanitary or even historical character, often assume much importance with reference to many of our citizens. In the absence of a State system of registration, many of the citizens are deprived of their legal rights or are enabled to deprive their fellows of their legal rights. The history of the registration department of the health offices of Philadelphia and Pittsburg shows that inquiries for important information supposed to be contained in their records are almost con-

tinual and afford sufficient evidence of the public value of such a system of registration.

The act to provide for the registration of births and deaths in the several counties of the Commonwealth, approved June 6th, 1893, constitutes a fair beginning in the work of State registration. This act requires the collection of the necessary vital statistics by the assessors, and the recording thereof by the clerks of the orphans' court in each county. The records would be of more general efficiency and usefulness if duplicates were kept in a bureau of vital statistics at the State Capitol. The statistical records accumulated at a single county seat are so small in number as to be valueless as a basis for the solution of sanitary or social problems, while the duplication and consolidation of these records would furnish sufficient data for the consideration and solution of many important questions, besides furnishing a general storehouse of valuable records for the entire State. So far as the registration of deaths is required by the act of June 6, 1893, it is almost a dead letter. The deeds of the murderer, the abortionist or the suicide can be easily concealed from human view until decomposition has obliterated all evidence of the crime. To obviate these dangers effectually, it seems to be necessary to require the issuing of a burial permit by some constituted authority and to make this issue contingent upon the presentation of satisfactory information respecting the cause of death. This official act ought to be made the first step in the State registration of death. Pennsylvania is the only one of the Northern Atlantic states without such a system, and she is behind almost every other state in the Union is this respect.

In no particular is the demand for State sanitation more forcibly and clearly demonstrated than in respect to measures which are manifestly necessary for the protection of the public waters of the Commonwealth

against needless contamination. It must be admitted that it is practically impossible to avoid all degrees and forms of public water contamination, and to these attention is not at this time called, however much the fact may be deplored. The false conclusion seems to have been adopted by those who own property through which or past which a public stream flows, that the stream itself is private property to be dealth with as the owner chooses. Others, while not assuming absolute ownership, still insist upon the right to employ the stream as a common carrier or depository for all substances of which the owners desire to rid themselves, and with the refuse of their mines or factories invade its shores and frequently force it from its ancient channel. Thus the riparian owner justifies the presence in our public streams of the carcasses of animals dead of diseases, of solid refuses of tanneries and slaughter houses, the garbage and night-soil of public institutions, factories, villages and towns, the washings of vast culm deposits and the output of abandoned salt wells. Such water pollution, so injurious to public health and morals, it must be admitted is more prevalent to-day than when the work of the State Board of Health was commenced, and the persistent determination to continue it becomes more apparent day by day. The streams of the State naturally, or with the assistance given by the Fish Commission, would furnish to our pepole a large and never failing supply of food fish. The constant and disgusting contamination to which they have been subjected, from the small mountain streams to our largest rivers, has practically killed off the fresh water fish of the State and destroyed the natural source of pure water supply to many of our centers of population.

The constantly growing demands upon the executive officers of the State Board of Health and the enlargement of their field of duty and responsibility by

the successive acts of Assembly, as well as by the growth of our population, make it obviously necessary to increase the appropriation to the Board's working fund. When we call to mind that Pennsylvania devotes but $6,000 to internal sanitation, while New Jersey appropriates $16,000, New York $30,000 and Massachusetts $49,000, there seems to be required no other proof that our State sanitary system has not been in the past years properly sustained.

PROTECTION TO COAL MINERS.

On June 28th, 1896, an accident occurred at the Twin Shaft Mine, near Pittston, whereby fifty-eight lives were lost. A commission composed of William Stein, Edward Roderick and Edward Brennan, mine inspectors of adjoining districts, was at once appointed to ascertain the cause of and fix the responsibility for the accident. These officials, assisted by Attorney General McCormick, made a prompt and careful examination and their exhaustive and able report is herewith submitted for your consideration. It is apparent from the report that the cause of the disaster was of a two-fold nature—the presence of an explosive or mine gas and a fall of the overlying earth and rock resulting from what is known in mining parlance as a "squeeze." There can be no question that an error in judgment on the part of the mine superintendent was the cause of losing his own life and those of the fifty-seven faithful men who were working under his immediate direction at the time of the accident. The report says: "The mine inspector cannot in any way be held responsible for the accident, not having been notified of the squeeze by the mine superintendent." Numerous other serious occurrences in the mining regions within the past two years, resulting in loss of life, have given rise to much public attention and comment. Whether such occurrences are wholly or partly

in the nature of so-called "unavoidable accidents," or whether they might in any degree be avoided becomes a pressing subject for legislative consideration.

The eighteen State mine inspectors, now supervising the anthracite and bituminous mines, are appointed after a competitive technical examination, from a list furnished by the State Board of Examiners, the applicant standing the best examination being entitled to receive the first appointment and so on down the list. Under the present law, the inspectors, while required to make an annual report to the Secretary of Internal Affairs, are not made accountable to any common head for the faithful discharge of their duties. There is no community of effort required among them and no uniformity in their reports. Neither is there any supervisory or directing power conferred by law on the Secretary of Internal Affairs or other officer, nor is there any provision by which the causes of accidents may be investigated and responsibility determined. The Twin Shaft commission did the work imposed upon them gratuitously, even paying their own personal expenses. While the report of the commission may truthfully declare that the mine inspector cannot in any way be held responsible, because he was not notified of the impending danger by the mine superintendent, it is not considered that this is sufficient excuse to stand in justification of the loss of so many lives. The suggestions contained in the report of the commission "to guard against and prevent a repetition of such accidents" would have, in their judgment, prevented the Twin Shaft disaster. These and all other reasonable precautions should be promptly taken with regard to every other mine in operation in the State. It is recommended that there be established a responsible head to whom the State mine inspectors shall, at stated periods, make detailed reports of the conditions of the mines, the methods employed in mining, the character

of machinery used, the probable danger from gas, squeezes and other causes of accidents, the means of ingress and regress and such other information as will enable a competent, scientific mining engineer to determine the safety of the mine. This official should have liberty to enter at will for the purpose of examining the mines and should be required to make such examination when petitioned for that purpose by the workmen therein who apprehend danger.

Pennsylvania, while enjoying the distinction of being the oldest and most extensive of the coal mining states, should not remain behind other states and countries in the matter of improved provisions for the advancement and protection of her mining interests and the safety of her mining people. Eleven out of the thirteen states now operating under coal mining laws have a chief officer, or bureau, established, as a subordinate branch of the state government, charged by legislative enactment with the execution of the mining laws, viz: Ohio, Indiana, Illinois, Maryland, Kentucky, Tennessee, Missouri, Arkansas, Kansas, Colorado and Washington; the States of Pennsylvania, West Virginia and Iowa being the only three coal mining states now remaining without a head or chief over the district inspectors. England, the continental countries of Europe, New South Wales and Nova Scotia have each their respective departments or bureaus of mines.

APPORTIONMENT.

Your attention is respectfully called to the duty of making as well as the necessity for a new apportionment of the State into Senatorial and Representative districts. By the express mandate of the Constitution, the General Assembly is required, immediately after each decennial census, to make such apportionment. The last Senatorial apportionment was made by act of Assembly approved May 19, 1874, and the last repre-

sentative apportionment by act of May 12, 1887. The omission to make these apportionments is equivalent in many instances to denying the people the representation to which they are legally entitled, and, in others equivalent to permitting a representation in both houses of the General Assembly to which, under the Constitution, they are not entitled. The growth of our population has been far from uniform throughout the Commonwealth, many localities having doubled their population in the past twenty years, while in others there has been little, if any increase. An examination of the reports of the last decennial census discloses the fact that the present Senatorial apportionment is, under existing conditions, absolutely destructive of the theory of representative government, and violative of that provision of the Constitution which declares that "The State shall be divided into fifty Senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator." By comparing the last Senatorial apportionment with the last census, it will be found that there are Senatorial districts containing one-half, one-third and even one-fourth of the population of other districts, each represented by a single Senator. The legislative districts, having been created by the act of 1887, thirteen years later than the Senatorial apportionment act, while not showing such striking inequalities, need re-arrangement and re-adjustment, not only because of the constitutional mandate, but because thereby a more just and equitable representation may be obtained in that branch of the General Assembly. These inequalities and the resulting injustice to the people of the Commonwealth ought to be remedied, and I most earnestly recommend a prompt reapportionment of the Senatorial and representative districts in such manner as will conform to the constitutional requirements.

The last congressional apportionment was by act of May 19, 1887. The number of members of Congress apportioned to Pennsylvania has varied with each decennial census. Under the census of 1880 our representation was twenty-eight, while under the census of 1890 it was increased to thirty members. As no congressional apportionment has been made by the General Assembly since the act of May 19, 1887, it has become necessary since the census of 1890 in order that our State may have her full representation in Congress, to elect two members-at-large. In justice to all parts of the Commonwealth this should not be permitted to continue, and the only remedy is a re-apportionment of the State into congressional districts containing the fixed ratio of population as nearly as may be, thus giving to each district its proper representation in the National House of Representatives.

ELECTIONS.

Our recent enactments relating to elections, particularly those providing for the official ballot, it is believed have met with general approval. It has been made clear, however, by experience that while the principle should be retained in our system, some amendments are necessary to aid in its proper administration. Under the law as it now is, certificates of nomination for candidates for the offices of Presidential electors, members of Congress and State officers, including members of the General Assembly, are required to be filed with the Secretary of the Commonwealth at least thirty-five days before the date of the election for which the candidates are nominated, and nomination papers for candidates for said offices are required to be filed at least twenty-eight days before election. Objection to the validity of these papers may be filed at any time up to twenty-one days before the election. These objections involve oral hearings be-

fore the court of common pleas of Dauphin county, and a full trial of each case upon its merits and the disposition thereof by the court, so that the Secretary of the Commonwealth may be able to transmit to the county commissioners and the sheriff in each county duplicate official lists containing the names and residences of and party or policies represented by all candidates not found or declared to be invalid at least fourteen days previous to the election. The limited time between the last day for filing objections, and the date at which the Secretary of the Commonwealth is required to transmit the lists to the county commissioners and sheriffs, a period of but six days, imposes a work of such magnitude upon the court and upon the clerical force in the office of the Secretary as to render its performance difficult if not impossible.

The use of the same political name or appellation in nomination papers, and the use of such name or appellation for purely local purposes, have given rise to much difficulty and confusion in the office of the Secretary, and have occasioned much and hurried litigation in the court.

One of the results of this defect in the law in found in the increasing size of the ballot, which has grown to such proportions as to create great difficulty and delay in printing the same. This can be readily corrected by legislative enactment without abridging in any degree the rights of the voter. There are matters of lesser importance relating to this subject to which I will not advert in detail, but experience has made it evident that a careful revision of the ballot law in this particular is demanded.

The practice of making wholesale purchase of tax receipts for the poll of occupation taxes assessed against the voters of the State, for the purpose of corruptly influencing such voters in the exercise of their right of franchise has grown to such proportions as to

be a menace to honest elections and should receive legislative attention. The evil can be easily remedied by appropriate legislation and the duty should not be neglected. The law which provides that the payment of this tax shall be a prerequisite to the right to vote assumes that each voter shall himself make the payment, not that some other person shall make it for him. The citizen who properly estimates and values his privileges as an elector will not refuse to pay the light tax imposed upon him. The passage of a law requiring the voter to make payment of his poll tax either in person or by agent duly constituted in writing would probably check this growing and dangerous custom.

The corrupt use of money to control elections, both primary and general, must necessarily undermine the foundations of our form of government, if persisted in and tolerated by the freemen of the Commonwealth. The debauchery of the franchise should not only be stigmatized as a crime, but punished as a crime. The basis of free government must be maintained in purity or the fabric will fall. Let such wise provisions be enacted into law with penalties attached as will drive forever from place and power and from society the spoliator of the highest privilege and dearest right which the American citizen can enjoy.

The use of official position to which a citizen has been elevated by his fellowmen for the purpose of controlling the public, will act against the public advantage or the use of the power or patronage of office to advance selfish interests or thwart the public judgment is on a level with the crime of the briber and the ballot thief. The office holder should be the people's servant, not the people's master. A law upon our statute books divorcing from official station the use of patronage which perverts the honest judgment of the people is demanded by all right thinking citizens.

CORPORATIONS.

The State having provided by its laws ample means for the wise control of the corporations of its own creation, may safely take such steps as will encourage the formation of new industrial and commercial companies. Our statutes permit the chartering of incorporated companies for mining, manufacturing, transporting and mechanical enterprises. The Legislature at its last session enacted a law which authorized the formation of companies for the purpose of carrying on a wholesale mercantile business. Numerous applications come annually to the State authorities for the chartering of companies proposing to engage in purely retail commercial or trading enterprises. There is no provision in our laws by which charters for such purpose may be granted. The result has been to force citizens of our own State to go into other states to get charters which our laws deny them. Nearly all the states of the Union, notably Massachusetts, New York, New Jersey, Illinois, Ohio, Indiana, West Virginia, Minnesota and Wisconsin, grant charters for any such purpose upon application. The comity existing between the several states permits such foreign corporations to do business within our borders. The only restriction imposed upon them by our laws is that they shall register with our department of State the name of their authorized agent and the place or places where they carry on business. It will be seen that our omission to legalize corporations of this character may check but does not prevent their formation. I can conceive of no good reason why the incorporation of trading companies should be either prevented, checked or discouraged, nor why the Legislature should not at the coming session so legislate as to authorize the creation of companies for the purpose of trading at retail in all articles of commerce.

Because of the greater liberality in other states in the granting of corporate franchises many of our citizens have resorted to those states when seeking charters of incorporation. Having thus become incorporated, many of these companies have come into this State and entered into business competition with corporations created under our own laws. Enjoying, as many of these foreign corporations do, broader privileges and larger corporate rights than those conferred by our laws, our domestic corporations are compelled to compete at a disadvantage and upon unfavorable terms. The tendency of this condition is to still further encourage a resort to other state jurisdictions for corporate charters, and this tendency is growing with marked rapidity. I would suggest for your consideration the question whether companies holding foreign charters, undertaking to do business in this Commonwealth, should not have their powers so restricted by appropriate legislation as to enable our own corporations to compete upon even and equal terms.

DECEDENTS' ESTATES.

The magnitude of the interests committed to the care of executors, administrators, testamentary trustees and guardians, has called public attention to the condition of our laws relating to decedents' estates. The present system represents the growth of more than a century, during which time numerous acts of Assembly have been passed, some not well considered and others conflicting in their provisions, with the result that the legislation upon this important subject is incongruous and unsatisfactory. The administration and care of decedents' estates being controlled almost exclusively by statutory enactments, it is respectfully submitted that a wise and careful codification of the laws relating to these matters would be

beneficial and productive of greater simplicity and certainty to all concerned.

STATE LIBRARY.

The Pennsylvania State Library is, perhaps with one exception, the most valuable State library in the country. It is safely housed in a fire proof building whose internal arrangements are excellently adapted to ready access. During the past two years there were added to its shelves 10,913 volumes, making a total number December 1st, 1896, of 128,035. Valuable additions have been made to the law department in the purchase of law reports of other countries. It is recommended that an appropriation be made sufficient to supply the library with all reports of English speaking countries. The Victorian Law Reports and also those of New South Wales have been added during the current year. There is almost daily inquiry for the English Patent Office Reports, mostly by skilled artizans, inventors and workers in machinery, and it would be an advantage to them if these reports were added to the Library. It is also hoped that the Legislature will provide sufficient means for the purchase of outstanding books relating specially to the State of Pennsylvania and such works of reference as cannot in the nature of things be found in private libraries.

The Free Public Library Act, approved June 28th, 1895, has not yet proved successful. The intention of that law was to furnish the means and methods by which non-sectarian public libraries could be established for the use of the patrons of the public schools. This free library system, however, will contiue to grow in public estimation and usefulness and receive the aid of all friends of education, as well as that of our educated men. It is recommended that a sufficient number of our State publications be placed in the hands of the Librarian for distribution to every free

library in the State, and in addition a number sufficient with which to make exchanges with all other responding libraries in this and other countries. This is doubtless the cheapest and most effective method of adding to the statistical requirements of the Library. It is further recommended that the manuscript archives of the State should be conveniently arranged with reference to their preservation and accessibility, and that the publication of the Pennsylvania Archives be continued until the work so well conducted has been fully completed. There are no State publications so much appreciated and so generally sought after as the Pennsylvania Archives.

It is therefore, urged that sufficient provision be made to complete the following requirements: The remaining law reports of English-speaking countries, English Patent Office Reports, all books or publications relating in any wise to Pennsylvania or any of her interests, historical or otherwise, such books of reference as are generally not found in other public or private libraries of the State, such additional copy of State publications as are required to furnish our free libraries and other State and private libraries, and also for exchange with other states and countries, for the preservation and classification of all valuable State archives and records, for the continuation of the publication of the Pennsylvania Archives, and particularly for the proper cataloguing of the entire library.

DEPARTMENT OF AGRICULTURE.

The Department of Agriculture established by the act approved March 13, 1895, was promptly organized. The Secretary reports that the various divisions of the department are now fully officered and the work is progressing as satisfactorily as can be expected. The enforcement of the law relating to commercial fertili-

zers has been in the personal control of the Secretary and has through licenses regulating their sale realized the sum of $12,450 during the year.

The farmers' institute under the immediate charge of the Deputy Secretary of Agriculture, are being held at the rate of three institutes daily in different parts of the State during about four and a half months of the year. The instruction given covers a wide and useful range, the instructors being among the best of our practical and scientific agriculturists. The average attendance at these institutes during the past year was 256. The work has been done upon an allowance of $7,500 per year, a sum quite inadequate for the purpose. Professor Hamilton, the Deputy Secretary of Agriculture, in his report states "that if the appropriations in Pennsylvania for this purpose were made as liberally as is done in the following named states, the rates according to population would be as follows:

To equal that of New York,	$13,145 per year.
To equal that of Ohio,	21,452 per year.
To equal that of Michigan,	25,080 per year.
To equal that of Wisconsin,	37,281 per year.
To equal that of Minnesota,	54,157 per year.

When it is considered that these institutes partake of the nature of University Extension as applied to agriculture and are highly appreciated and patronized by farmers, enabling them to secure some measures of technical training which is becoming more and more essential to success, it is urged that the appropriation therefor should be more liberal. It is the only organized State establishment for education in agriculture excepting the School of Agriculture at the State College. The institutes also do an exceedingly valuable work in arousing public interest in the subject of agriculture, while the School of Agriculture continues the work thus started and provides for further systematic training. For the support of both these agencies the

State has made during the past six years an average annual appropriation of $11,500, which is an average of five and four-tenths cents for each farm in the State. In other words, out of each $100 appropriated by the Legislature of '95, seven and three-tenth cents was for farmers' institutes and five and three-tenth cents for the School of Agriculture, while fifty-four cents covers the entire appropriation for agricultural purposes. This amount, considering the great interests to be subserved, is not only inadequate, but manifestly disproportionate.

DAIRY AND FOOD DIVISION.

The work done through the enforcement of the oleomargarine and pure food laws has, to a considerable extent, suppressed the traffic in fraudulent products. The necessity for the law and for its enforcement are becoming better understood. Fines to the extent of $8,313 have been collected.

LIVE STOCK SANITARY BOARD.

The State Veterinarian, under the direction of the Live Stock Sanitary Board, has been actively engaged in suppressing outbreaks of contagious diseases among farm animals. A large number of diseases of domestic animals has been dealt with and in some instances serious loss has been prevented by prompt and well-directed measures. More attention has been given to tuberculosis than to any other single disease, because many cattle owners have applied for assistance in freeing their herds of this scourge. Co-operation between the farmers and this Board has resulted in the eradication of tuberculosis in many districts. Serious hindrance to the eradication of many destructive diseases is found to result from not making prompt report to the Live Stock Sanitary Board. It is the duty of the State Veterinarian to investigate the cause of

every epidemic affecting the lives and health of domestic animals. When we consider that $125,000,000 is invested in live stock in this Commonwealth and that the yearly loss resulting from diseases that may be prevented is estimated at $6,000,000, the importance of closer relations between the farmer and the Live Stock Sanitary Board become apparent.

PUBLIC ROADS.

Attention is again called to the necessity for better public roads. It appears that we have about 80,000 miles of public roads in the various townships of the Commonwealth, not including turnpike roads and those found in the cities and boroughs. These roads are for the most part in a very unsatisfactory condition, although large sums of money, amounting to almost four millions of dollars have been spent every year on their improvement. This great sum of money, averaging about $48.73 per mile, expended annually for many years past should, if laid out with intelligence and economy, during the last fifteen years, have made every public thoroughfare in the State equal to our best turnpike roads. There are a number of general laws regulating the road system of the Commonwealth, but there remain in addition thereto on our statute books between four hundred and five hundred special laws affecting as many different localities. Before any further and general effort at improvement can go into effect, it is essential that our road system be simplified, so as to be brought under the control of but one or two general laws regulating all the districts in the State and forming the basis of a system for permanent improvement upon which future legislation may be built.

Whilst there are many points in road construction that should be put in practice, yet it is considered to be unwise to enact into law those things that intelli-

gent supervision ought to supply. Legislation, therefore, should deal only with the underlying principles and not concern itself too much with details. The fundamental requirement, in order that improvement may be begun and properly carried out, is in providing competent supervision of the work of road making. The selection of incompetent people will always prevent the possibility of bringing about what is needed, no matter to what extent the State might furnish substantial assistance. Another defect in our present method is found in the short term for which supervisors are elected. In most instances this term is but a single year, thus breaking up any plans that intelligent supervisors may endeavor to carry out and giving a sense of insecurity in the position which must embarrass any supervisor who undertakes to do permanent work. If our present method were to be so changed as to provide three supervisors to be elected for three years, one going out of office each year, many of the present evils would be corrected. In addition to this, if about one-half of the road tax could be paid in money, there would be the opportunity of engaging in permanent work, that, under our present system of working out the entire tax, is out of the question. A third suggestion, and in its way the most important, is that every mile of our road system should be under the care of individuals, whose daily duty it should be to see that they are kept in good condition, that repairs required are immediately made, that loose stones are removed, mud holes filled up, wet places drained, and that the entire section over which the individual would be placed is always in good condition for public use. At present, the work done, generally in the spring and fall, is allowed to lie neglected for months without any attempt to preserve it against the floods that are common in our latitude, and consequently the work of each year is swept away and the money expended in its

performance totally lost. If these suggestions were carried out, the way would then be open for the State to grant such aid from time to time as might be necessary to assist in relieving the burden that is now wholly borne by the rural people.

FORESTRY.

Pennsylvania was originally one of the best wooded of the Eastern states. For many years we stood first as a lumber producing State. With the exception of an occasional lake or an open meadow, the entire State was woodland. The Forestry Commissioner estimates that about thirty-six per cent. of the entire area of the State may be yet classed as woodland, but most of this has been stripped of its valuable merchantable timber. Much of it, although claimed as woodland, possesses almost nothing that is worthy of the name or would be valued by lumbermen for sale or by the mechanic for construction. Many of these large unproductive tracts present a picture of desolation which will be contemplated, without awakening apprehension as to their future bearing on the prosperity of the Commonwealth.

Most of Pennsylvania's timber crop during the course of many years floated down our rivers on the spring freshets in the form of logs, rafts, arks and other floating combinations of native wood on their involuntary way to market. The North and West branches of the Susquehanna, the Allegheny, Monongahela, the Delaware and the smaller tributary streams have annually presented interesting pictures of the passing of Pennsylvania's forests from headwaters to market.

So profitable has been our timber crop that about four-fifths of it has already been brought to market. The railroads have invaded the forests where the streams were not large enough to float the timber and the portable saw mill has made havoc with the smaller

timber growths. There cannot be much objection to the removal of a tree after it gets its full growth, if the removal be for a lawful purpose. Nor is it reasonable to expect the farmer or the landowner to give up his land to the raising of a timber crop that takes fifty years, or more, to mature and that costs him in taxes more than the natural crop will bring him at the end of that period. This is not what is asked by the friends of the Pennsylvania forests. Their desire is to see that all the land of the State which is absolutely good for nothing else be utilized in growing timber. The Forestry Commissioner estimates that if the land unfit for agricultural purposes and not worth destruction by the hand of man and from forest fires, the timber more than an average of $1.00 per acre were protected from further value of the crop produced at the end of fifty years would be worth at present values a billion and a half of dollars, or an average of thirty million dollars per year.

Aside from the money value to the State and the people, there are other and probably greater considerations to be taken into account. This is perhaps the first generation in this Commonwealth that has been brought face to face with the dangers and disasters of a timberless country. The removal of the marketable timber from our forests, thus cutting off one of the greatest industries of the State, and the fact that Pennsylvania is no longer able to supply her own inhabitants the lumber which they require are of themselves discouraging; but, when coupled with the apprehension that further destruction of the forests will work perpetual harm to our agricultural interests, the situation becomes alarming. It is recognized as a fact that of the waters which fall upon cleared areas, four-fifths are lost because they run immediately out of the country; while four-fifths of the waters which falls upon our forest areas are saved, thus proving that if the vast

volumes of water which so frequently deluge the State could be retained long enough to soak into the ground, destructive floods would be prevented and the consequent loss of property and life averted. Two floods have occurred within the past eight years of unequalled proportions and destructiveness. Large areas of alluvial soil once tilled have been abandoned along the Juniata river, because the repeated floods have made it impossible to maintain fences or mature crops. This is true also of other portions of the State. During the past eight years the valleys of the Juniata and the West branch of the Susquehanna have lost more than a million dollars in the bridges which were swept away. The recurring floods overflowing the banks of nearly all our rivers and the consequent loss of property, the personal danger, apprehension and fear are quite enough to excite serious solicitude.

Pennsylvania possesses vast areas of mountainous territory, which are of no value whatever as agricultural or mineral land. They are, however, of untold value to the State at large because they contain the sources of our rivers. When the owners have removed the timber, the land is generally deserted and no attempt is made to restore a growth of timber, because it involves a period of time too long for private enterprise. Forest fires aid the work of destruction.

The great interests involved make it essential that our forests be protected and restored wherever possible. The waste areas should come under proper guardianship. No interest so important should be left in private hands. The State should feel the necessity and it has the power to protect and restore and guard against forest fires. In the doing of this work the rights of the private owner, of course, should be carefully guarded by proper compensation. The national government has already set apart large areas of tim-

ber land as forestry reservations. New Jersey has ceded her portion of the Palisades to the government as a public reservation. New York already maintains large forestry reservations and the legislation needed to accomplish the same has met with general approval. We were developing a tree destroying instinct at a time when France, Germany, Spain and Switzerland were realizing that there were in each country certain exposed areas which after the forests were removed, ceased to be productive and compelled the population to seek homes elsewhere. France formulated her experience into law when her statute declared that trees were more necessary to the state than to the individual and, therefore, the latter should not be allowed to destroy them at will. It may be stated as the truth of history that all countries that were once blessed with abundant forests and favorable climate are now, with their forests gone, absolute wastes or the abode of perpetual droughts.

Most of the wooded area is known in legal phrase as unseated land, much of which has become so valueless as to be sold for taxes at public auction by the county authorities at stated periods. The land advertised to be sold for taxes in June, 1894, gathered from the printed lists furnished by newspaper advertisements over the name of the county treasurer, amounted to more than a million and a half of acres, or 2,358 square miles, while the total amount of taxes upon which the sales were advertised to be made was $290,386. If the taxes were not paid the county became the purchaser of the lands and, after holding for five years, will advertise it for sale again. Since the timber has been removed from the land it becomes valueless to the lumbermen and the taxes are generally left unpaid.

It is now submitted to the General Assembly that it would be both wise and profitable for the State, in some right manner, to become the owner of these vast and

comparatively worthless forest areas which contain the source of our water supplies, and to hold them as such reservations, protecting them from forest fires and encouraging re-growth of forest timber.

GEOLOGICAL SURVEY.

On the first day of December, 1896, the members of the Board of Commissioners of the Geological Survey tendered their resignations, which were accepted, thus ending the valuable work which was begun under the provisions of the act of May 14, 1874, under the supervision of Professor J. P. Lesley, the State Geologist, whose resignation accompanied those of the members of the Board. The purpose of the survey were to make such investigation as might be required to thoroughly elucidate the geology of the State and to put the results of their work into convenient form for reference. The work of the Board is disclosed in one hundred and twenty-nine volumes of reports and atlases. The money expended by the Board during the twenty-two years of its existence, as appropriated, amounted to $643,000; the cost of the printing of the reports and maps, all told, was $957,363.24, making a total cost of $1,600,363.24.

In pursuance of law, the Board of Commissioners of the Survey made a large and valuble collection of geological specimens, which have been arranged and catalogued and, under the act of April 4th, 1883, were deposited with the Academy of Natural Science in Philadelphia, where they still remain, and are subject to recall by the State. Acting under the further authority to collect a geological library by exchanging its publications for those of foreign states and individual geologists, a valuable library was thus collected, which has been deposited with the State Librarian. The archives of the survey, consisting of more than one

thousand original maps, many of which are unpublished, of correspondence and duplicate vouchers, are very valuable and have been also deposited with the State Librarian. The product of the work and the publications of the survey are invaluable. Professor Lesley and the members of the Board of Commissioners, the labors of the latter being entirely gratuitous, are deserving of the thanks of the people. It is recommended that the custody of the large and valuable collection of specimens remain with the Academy of Natural Science until such time as the Legislature, in its judgement, shall provide a museum where these and other valuable exhibits of the State's resources and history may be displayed free to all who desire to view or study them.

The work of geological research should not end with the cessation of the labors of the Board of Commissioners. Although so well begun and prosecuted, it is not by any means completed. I would recommend the establishment of a bureau of geology, which, in competent hands, would continue the work of investigating the structural and economic geology, physical geography and natural history of the State. This course has been followed, after the completion of the geological survey in many other states whose natural resources are not to be compared with those of our own Commonwealth.

CHICKAMAUGA-CHATTANOOGA BATTLEFIELDS COMMISSION.

On the 30th day of April, 1894, the Governor commissioned about one hundred of the survivors of the Pennsylvania troops engaged in the battles of Chickamauga and about Chattanooga to represent this Commonwealth in locating and marking the battle lines and positions of the Pennsylvania regiments and batteries engaged in those battles. In co-operation with

the National Park Commission, the positions of the Pennsylvania regiments and batteries were marked in September, 1894. On July 3d, 1895, an act of the General Assembly was approved which authorized the erection of a monument to each of the seventeen Pennsylvania organizations engaged in these battles, to be erected on their respective battle lines, and made an appropriation of $1,500 for each monument. An executive committee was appointed having power to contract for the erection and placing of the monuments, of which committee Colonel Archibald Blakely was chairman, Captain George W. Skinner, secretary and Colonel William A. Robinson, treasurer. As a result of their work monuments have been erected upon the battle lines of the following organizations: The Twenty-ninth, Forty-sixth, Seventy-seventh, Seventy-eighth and Seventy-ninth infantry, the Seventh, Ninth and Fifteenth cavalry, the Twenty-sixth Light Artillery, Battery B, and Forty-sixth Light Artillery, Battery E. The monuments for the Twenty-eighth and One Hundred and Forty-seventh infantry have been completed for some time, but, owing to the fact that the National Park Commission had not acquired title to the land covering their respective battle lines on Lookout Mountain, they are not yet in position. The Government, however, within a month past completed the purchase of the lands and these monuments will be placed in position within a short time. The battle lines of the Seventy-third and One Hundred and Ninth infantry being also outside of the limits of the National Park, the representatives of these regiments have thus far declined to select designs or locations, and, therefore, no contracts have been made for the erection of their monuments. It may be stated from personal observation, that all of these monuments are both in manner and design most creditable to the State and to the several organizations. The monuments for the Twen-

ty-ninth and One Hundred and Eleventh infantry consists of large bronze tablets inserted in the face of the rocks at the point on Lookout Mountain where these regiments respectively struck the palisades in the storming of the mountain, being the highest point attained by any of the troops in the assaulting column. It is expected that the entire work will be completed in the early spring, and the commission informs me that they will present a bill for your consideration, asking for an appropriation sufficient to transport all the survivors of these regiments to the dedication of the monuments. The work of the commission and their request is cordially approved.

THE NATIONAL GUARD.

The Adjutant General reports the number of men enrolled in the State and subject to military duty as 839,528. The aggregate membership in the National Guard on September 30, 1896, was 8,870. The annual encampment was by division, at Lewistown, Pa., July 20th to 27th, 1896, and was successful in every respect. The work of the week was of undoubted benefit to the National Guard. The interest in the encampment was very much increased by the presence of Major General Nelson A. Miles, commanding the United States Army.

The Secretary of War of the United States detailed the following officers to make observations and report upon the condition and efficiency of the Guard: Colonel Samuel S. Sumner, Sixth U. S. cavalry, Major John R. Van Hoff, Surgeon U. S. army, and Captain James A. Leyden, Fourth U. S. infantry. These officers were close observers of all the work done and their published reports speak in the most complimentary terms of the efficiency of the troops. Colonel Sumner in concluding his report states that in his opinion "the National Guard of Pennsylvania is a body of well dis-

ciplined and efficient soldiers, prepared for any call made upon them. The general tone and feeling is noticeably high and the manly respect for rank and position shows a proper appreciation for obligations voluntarily assumed." Major Van Hoff says in his report that the personnel of the Medical Department impressed him as being of excellent material. Captain Leyden says: "The National Guard of Pennsylvania represents the military establishment of a government of about six millions of people. The officers generally are men prominent in political, social and financial affairs in the districts from which they come. Many of the senior officers are men who saw service during the War of the Rebellion. The undoubted high state of efficiency of this volunteer military organization is due entirely to a continuance in the Guard of these prominent and experienced men. Their example and the discipline they have cultivated will not be lost when they cease to be active leaders. A spirit has been fostered that is of the highest military value."

SOLDIERS' ORPHAN SCHOOLS.

There was appropriated by the last General Assembly the sum of $69,000 for completing and furnishing the mechanical building at the Soldiers' Orphan Industrial School, at Scotland, Franklin county. There was also appropriated the sum of $325,000 for the education, maintenance and clothing of the children in the Soldiers' Orphan School and in the Industrial School, to be based upon the per capita of $140 per annum to each child in the orphan schools, and $200 per annum to each child in the industrial school. There remain three soldiers' orphan schools, located as follows: Chester Springs, Chester county, containing 306 children; Harford, Susquehanna county, containing 202 children; Uniontown, Fayette county, 328 children. The Soldiers' Orphan Industrial School contains 240

children, making a total of 1,076 children cared for in these four institutions. There remain on file at this time over three hundred applications for the admission of destitute soldiers' orphans to these schools. Many of these cases are both deserving and necessitous. Owing to the crowded conditions of the schools, much care has been exercised by the commission in selecting those whose necessities seem to require preferment. The number of applications remaining on file and for whom there is no room, indicates that this work will have to be continued for some years to come. It was the evident intention of the General Assembly, as well as the commission in charge of the Soldiers' Orphan Schools at the institution of the Industrial School at Scotland to enlarge it from time to time until it would eventually accommodate and care for all the children in the three remaining schools, as well as other children who are entitled to admission. Until the acquisition of the land at Scotland and the erection of buildings thereon, the State had never owned a building in which its soldiers' orphans were cared for and educated. The industrial feature which has been inaugurated in the course of instruction at Scotland is commended. The State is committed to the care of these children, and it is the part of wisdom as well as economy to make provision for their ultimate welfare at the Scotland institution.

SOLDIERS' AND SAILORS' HOME.

Ten years ago there were located at Erie, Pa., the Pennsylvania Soldiers' and Sailors' Home to care for the surviving soldiers, sailors and marines of Pennsylvania who served in the war for the suppression of the Rebellion, and were honorably discharged therefrom, and who by reason of indigent circumstances and physical disability are unable to support themselves by manual labor. Since the opening of this institution

2,700 orders of admission thereto have been granted. There are at this time 452 inmates. Of this number 65 are in the hospital and 213 either sick or disabled to an extent requiring medical treatment. The board of trustees have exercised great care in the management of the institution and the interests of the State have been thus carefully guarded without depriving any deserving soldier of the care and comfort that the State intended he should receive. The hospital cases, as is to be expected, are on the increase, and according to reports made by the officials of the Home, confirmed by the judgment of the board of trustees, the hospital building is entirely inadequate to meet the demands upon it, and an appropriation will be asked for to increase the hospital facilities of the institution.

FACTORY INSPECTION.

The increase in the number of factory inspectors from twelve to twenty, as provided by the act of April 11th, 1895, required a re-districting of the State for the purpose of factory inspection. These districts are under the direct supervision of fifteen men and five women. The factories inspected number 6,636, giving employment to 267,961 operators, of which number 101,624 were females and 12,014 children between thirteen and sixteen years of age. One hundred and sixty-one children under thirteen years of age were dismissed from employment by order of the inspectors. The increase in the number of deputies has resulted in a more thorough inspection, and a larger number of accidents was reported than during any previous year. The total number of accidents was 1,034, of which 77 were fatal and 191 of a serious nature. Two boiler explosions were reported, one at Hollidaysburg and the other at Danville, resulting in the loss of life of twelve employes and thirty-four injured. The National Association of Stationary Engineers, at its annual meeting in

September last, reported one boiler explosion for every working day during the past five years. The Factory Department having no authority to inspect boilers, there should be legislation to cover this defect.

Since the passage of the compulsory education law all children between the ages of thirteen and sixteen years should be required to furnish evidence by certificate or otherwise that they have attended school at least six months of the school term preceding their engagement to labor. The present law which limits the age of children employed in shops and factories should be extended to apply to all other avocations in which they are employed, and the restriction of the hours of labors of minors to sixty hours a week should also apply to women. The act approved the 11th of April, 1895, to regulate the employment and provide for the safety of persons employed in tenements where clothing, cigars and other articles are made or partiaaly made has been beneficial in securing larger shops, improved sanitary conditions, fire escapes and other needed improvements in and around the work room. This law is now evaded by what is called the "family worker," or those who take shop work home to be completed and then sublet it in various ways that entirely evade the law. The law should be so amended as to require all family workers to have a permit from the Factory Department before securing work, certifiying that their house is clean and in proper sanitary condition. Such workers should also be brought under the control of the Factory Department. The condition of the sweat shop and the "family worker" in our large centers of population, some of them being of the lowest and vilest character, must convince our intelligent citizens of the importance of more stringent immigration laws.

BANKING DEPARTMENT.

The banks, savings institutions and trust companies of the State last year held the sum of $218,967,981.72 as deposits, being an increase over the preceding year of a little over fourteen millions, and there was at the same time in the hands of trust companies the enormous sum of $374,241,784.83 of trust funds. The utmost protection should be extended to these large interests. It is recommended that all applications for charters of financial institutions be submitted to the Banking Department for aprpoval; that foreign corporations desiring to do business within this Commonwealth should first submit their application to the Banking Department for approval; that in addition to the examination fees, fixed by law, there should be a general license fee imposed upon foreign financial corporations for the privilege of doing business within this State.

The building associations chartered under the law, making their reports to the Banking Department, number 1,131. Their assets amount to $99,519,917.50. It will be seen that a large amount of money of our citizens is invested in these associations. The foreign building and loan associations, doing business within our Commonwealth, are not really building associations in the proper sense of the term, and it would appear that the methods of doing business by such institutions, in fact, the whole subject should receive the careful attention of the Legislature, and laws be enacted to confine building associations strictly within the meaning and intent of the act under which they are incorporated. From the statistics it would seem that building associations doing business under any other than the purely local plan are really banks or corporations for investment, by means of which enormous amounts of money are escaping the common burden of taxation.

ATLANTA EXPOSITION.

In response to an invitation to the State of Pennsylvania to participate in the Cotton States and International Exposition, at Atlanta, Georgia, a joint resolution of the House and Senate was passed on May 2d, 1895, providing for the appointment of a commission to prepare for said exposition a proper exhibit of the products and resources of the Commonwealth, and an appropriation of $3,000 was made for that purpose. A subsequent act provided for a ladies auxilliary commission, for which an additional appropriation of $8,000 was voted. Under authority of the act, Thomas J. Keenan, Jr., of Pittsburg, was appointed Secretary of the Commission and to him was entrusted, under the direction of the commission and its executive committee, the preparation and display of the State exhibits and the general executive work of the commission. The State building was in every way a creditable structure, and occupied one of the most accessible and commanding situations on the Exposition grounds. On November 14th, 1895, the day officially designated by the Exposition management as "Pennsylvania Day," the commission visited Atlanta in a body, inspected the State exhibits and participated in the ceremonies of the occasion. The display made by our private exhibitors was also highly creditable and compared favorably with those from other states. I am gratified to announce that out of the appropriations of $38,000, the sum of $7,426.33 remained unexpended and reverted to the State Treasury when the work of the commission was completed.

IMPROVEMENT TO PUBLIC BUILDINGS.

During the last session of the General Assembly the hall of the House of Representatives which had immediately prior thereto been remodelled and refitted, was

found to be so imperfect in ventilation and acoustic qualities that that body be resolution called upon the Board of Public Grounds and Buildings to take such steps as would be necessary to cure these serious defects. During the session, it was painfully apparent that neither officers nor members could, without much difficulty, hear each other while transacting the every day routine of business. A number of experiments were made during the sitting of that body which utterly failed. It thus became an imperative duty to make such necessary changes as would remedy these defects. Accordingly the Board of Public Grounds and Buildings entered into a contract with a competent architect by which the latter undertook to remedy the evils, the board exacting from him a stipulation that if his efforts were not entirely satisfactory he should receive no compensation for his services.

During the past year the heating, lighting, sewage and drainage of the Executive Mansion have been very much improved, and also the internal arrangements have been remodelled, refitted and refurnished in an appropriate and necessary manner. The Executive Mansion is now a comfortable and creditable home belonging to the State for the use of the executive officer and his family.

The public grounds containing the State buildings have been improved and beautified by the construction of much needed public entrances, walks and drives, and by the distribution of comfortable seating arrangements. The condition of the public grounds and care of the public buildings is most creditable.

Notwithstanding the erection of the new Executive Building, there is still not sufficient room for all of the several departments of the State government. The departments, bureaus, boards, commissions and divisions of the State government are now so much crowded together that it is a positive inconvenience for the heads

of departments and their assistants to do their work with very much comfort or convenience. The Lieutenant Governor was compelled to relinquish his apartments in the new Executive Building for others in the Legislative Building in order to provide partial accommodations for the Attorney General, a portion of whose offices are now on the first floor and the remaining rooms in the second floor of that building. In the Agricultural Department, the Deputy Secretary, the Forestry Commissioner, Dairy and Food Commissioner, the Economic Zoologist and State Veterinarian, with all their assistants, are assembled in one room, where it is almost impossible for any of them to perform his work without becoming an annoyance and a hindrance to the others. The same is true in more or less degree in other departments, especially in the old Executive Building. The apartments occupied by the Secretary of the Commonwealth and his assistants have also been found entirely too limited. The increasing demands for floor space in the Department of Internal Affairs has compelled the Secretary to use for the ordinary requirements of his office the room hitherto set apart for the Supreme and Superior Courts, the Board of Pardons and other boards. The room containing the State battle flags and Rothermel's painting of the Battle of Gettysburg, together with other valuble historical paintings and war relics, is entirely inadequate for their proper display. With the growth of our population and the development of our material energies and industries, all departments of the State government are necessarily enlarged and are constantly growing. After a careful examination of the situation and with a view both to economy and efficiency, it is recommended that as soon as the condition of the finances permit, an additional or third story be added to the new Executive Building for the further accommodation of the several departments, and an additional

or second story to the State Library for the use of the Supreme and Superior Courts, the various State boards and other organizations required to hold stated meetings at the Capitol.

DANIEL H. HASTINGS.

"To the Senate Nominating George R. Snowden Major General Commanding Division of the National Guard of Pennsylvania."

Commonwealth of Pennsylvania,
Executive Chamber,
Harrisburg, January 5, 1897.

Gentlemen:—

IN CONFORMITY WITH LAW, I HAVE THE honor hereby to nominate for the advice and consent of the Senate George R. Snowden, of Philadelphia, to be major general, commanding division National Guard of Pennsylvania, to rank as such from July 25, 1890, for the term of five years, from July 25, 1895.

DANIEL H. HASTINGS.

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